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THE

HISTORICAL REGISTER

OF THE

UNITED STATES.

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CHAPTER V.

OF THE FEDERAL CONSTITUTION.

(In Continuation.)

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§ 1. THE army of the United States is placed, by the constitution, under the command of the president, who is likewise vested by the same instrument with the power of nominating, and by and with the consent of the senate of appointing, all its officers.

§ 2. By the act of the 16th of March, 1802, the military peace establishment of the United States was ordered to consist of one regiment of artillerists and two regiments of infantry.

§ 3. On the 12th of April, 1808, an additional force of 10,000 men was ordered to be raised, consisting of five regiments of infantry, one regiment of riflemen, one regiment of light artillery, and one regiment of light dragoons.

On the 24th of December, 1811, congress ordered the above military establishment to be immediately completed, and, in or-

der to facilitate its completion, the bounty was raised from eight to sixteen dollars to each recruit; and on discharge, each man was to be allowed three months pay, and a hundred and sixty acres of land; in case of death in the service, the pay and land to revert to his heirs and representatives.

§ 4. An additional force of 25,000 men was shortly after ordered to be immediately raised, and the president was authorized, in case of an actual or threatened invasion by the Indians, to raise six companies of rangers—either by the acceptance of volunteers or by enlistment for one year. Each company was to consist of one captain, one first and one second lieutenant, one ensign, four serjeants, four corporals, and sixty privates. These rangers were to be mounted or serve on foot as the service might require, and were to be armed, equipped, and organized in such manner as the president might think proper to direct. The president was likewise authorized to accept the services of any volunteer corps that should offer, not exceeding 50,000 men.

This great increase of force was preparatory to the declaration of war. In the first session following that event, experience having shown the difficulty of filling the ranks, further inducements were held out, by offering to each recruit, in addition to the existing bounty, an advance of $24 on account of his pay. During the same session, an additional force of 20,000 men was authorized to be raised for one year, the recruits to receive a bounty of $16 each in money, but no land.

These inducements, however, proving still insufficient to fill the military establishment, congress, in January, 1814, passed an act offering to each person who should enlist for five years, or during the war, at his election, a bounty of $124, twenty-four of which to be paid on his discharge; at the same time the re-enlistment of men whose term of service was about to expire was authorized on the same terms.

In the course of the same session a number of acts were passed for the increase and better organization of the military establishment. The total authorized force at present consists of

1 regiment of light artillery	963
1 do. of dragoons	981
The artillery corps	5940
46 regiments of infantry	50324
4 do. of riflemen	4240
17 companies of rangers	1241
10 do. of sea fencibles*	1070
	64,759 men.

* For the organization, &c. of the sea fencibles, see vol. 1, p. 155.

§ 5. The regiment of light artillery consists of ten troops of 95 men each, including officers, which, including the 13 regimental officers, make an aggregate of 963.

§ 6. The regiment of dragoons consists of eight troops of 121 each, which, including the regimental officers, make an aggregate of 981 men.

§ 7. The artillery corps consists of 12 battalions, of 495 each.

§ 8. Each regiment of infantry consists of 10 companies, of 106 men, making, with the regimental officers, a total of 1094 to each regiment.

§ 9. Each rifle regiment also contains 10 companies, of 106 men each.

Two regiments form a brigade, commanded by a brigadier general, to whom is attached an aid-de-camp and a brigade major. Two brigades form a division, commanded by a major general, with two aids-de-camp; and, when he commands an army, one adjutant general, one inspector general, one quarter master general, two assistant adjutant generals, two assistant inspector generals, one deputy quarter master general and four assistants, one topographical engineer and one assistant; beside a chief of each department, as many assistants may be allowed as there are brigades in each separate army.

In the above statement the general staff and the engineer corps are not included.

The general staff consists of

§ 10. I. *The general officers.* Eight major-generals, and 16 brigadier-generals.

§ 11. II. *The quarter master general's department.* The principal quarter master general and his clerks, 8 quarter master generals, 8 deputy and 32 assistant deputy quarter master generals, the principal and 16 other waggon masters, the principal forage master and 16 assistants, 4 conductors of artillery, the principal barrack-master and 60 deputies, the superintendant of artificers and 4 assistants, 2 master masons and 24 labourers, 2 master carpenters with 20 house and 5 ship carpenters, 2 master blacksmiths and 20 workmen, 2 master boat-builders and 16 workmen, 2 master armorers and 16 workmen, 2 master saddlers and 12 workmen, and 2 master harness-makers and 12 workmen.

It is the duty of this department to provide—

1. For the quartering and transporting of troops.

2. For transporting all military stores, camp equipage, and artillery.

3. For opening and repairing roads, and constructing and re-

pairing bridges, which may be necessary to the movement of the army, or of any detachment thereof.

4. To receive from the departments of purchase and of ordnance, all clothing, camp equipage, arms, ammunition, and ordnance; to transport the same to the place of destination, and there to make distribution thereof, agreeably to the direction given to the articles by the commissary general of purchases, and to the orders of the general commanding the district to which they are destined.

5. To provide all forage and fuel for the use of the troops, and have the same transported and issued.

6. To provide good and sufficient store houses, for provisions deposited under contract between individuals and the government, and to appoint store keepers for the custody of the said provisions, or other articles, the property of the public, which may be placed there; and to find means of transporting the same, when so required by the engagements of the government.

7. To make half yearly returns, to the secretary of war, of all horses and draft oxen, or horses and oxen on hire, in public service, showing their number, employment, and condition; and a similar return of all other articles, the property of the public, of which the department may be possessed.

8. To make and transmit to the secretary of war, monthly summary statements of the accounts of the department, and quarterly accounts thereof, agreeably to forms prescribed by the treasury department.

9. To make out and transmit to the war department, on or before the first day of December in each year, annual estimates of the forage, fuel, straw for bedding, articles of stationary, dragoon and artillery horses, oxen, waggons, and carts for transportation of baggage, &c. and of all other articles the furnishing of which appertains to the department.

§ 12. III. *The topographical department.* Eight topographical engineers, and 8 assistant topographical engineers.

The duty of this department is to make such surveys, and exhibit such delineation of these, as the commanding general shall direct; to make plans of all military positions (which the army may occupy) and of their respective vicinities, indicating the various roads, rivers, creeks, ravines, hills, woods, and villages, to be found therein; to accompany all reconnoitring parties sent out to obtain intelligence of the movements of the enemy, or of his positions, &c.; to make sketches of their route, accompanied by written notices of every thing worthy of observation thereon; to keep a journal of every day's movement, when the army is in

march, noticing the varieties of ground, of buildings, of culture, and the distances and state of the roads between given points, throughout the march of the day; and lastly, to exhibit the relative positions of the contending armies, on fields of battle, and the dispositions made, whether for attack or defence.

§ 13. IV. *The adjutant general's and the inspector general's departments.* One adjutant and inspector general, 8 adjutant generals, 16 assistant adjutant generals, 8 inspector generals, and 16 assistant inspector generals.

The duties of adjutant generals may be comprised under the following heads, viz.:

Distribution of orders:

Details of service:

Instruction of the troops in the manual exercise, and the evolutions and arrangement of them when brought into action; and

Direction of the military correspondence.

1. *Distribution of orders.* The general orders of the day having been received from the commanding general, the adjutant general or his assistant carries them to the office of distribution, where they are recorded in a book kept for that purpose, whence they are transcribed by the aids-de-camp of general officers, by majors of brigade, by the adjutants of all separate corps less than brigades, by a deputy or assistant deputy quartermaster general, by an hospital surgeon, or an hospital surgeon's mate, detailed for that duty by the senior surgeon, and some commissioned officer from each corps of engineers; and when so transcribed, they are carried to the corps to which these officers respectively belong, and there promulgated, under the orders of the officers commanding the corps, and become to them a rule of conduct.

2. *Details of service.* These are made agreeably to prescribed rules, and the usage of war.

3. *Instruction of the troops.* This is governed by circumstances, as to time, place, and frequency; of which the commanding general is the judge.

4. *Military correspondence.* Reports of services performed, and demands for courts of inquiry, or courts martial, are made to the adjutant general. All returns intended to exhibit the strength of corps, and accounting for the absent non-commissioned officers, musicians, and privates; reports of the hospital and of the quartermaster's departments; and of ordnance and ordnance stores attached to the army; are also addressed to the adjutant general; out of which he forms a general return, which is transmitted monthly, for the information of the war depart-

ment: those transmitted for the months of June and December, are accompanied with a list of the officers serving in any garrison or corps of the district or army so returned, specifying their names, rank, and places of station. Returns of ordnance and ordnance stores, are made agreeably to forms prescribed by the commissary general of ordnance.

The duties of inspector generals may be divided under the following heads, viz.:

Mustering and inspecting troops of the line, and militia detachments serving with them:

Selecting places of encampment, and posting guards:

Superintending the police of the camp and of the march:

Inspecting parades; and

Making half yearly confidential reports to the war department, of the state of the army, division, or detachment to which they belong.

§ 14. V. *The ordnance department.* The commissary general and the assistant commissary general of ordnance, 9 deputy and 16 assistant deputy commissaries, 3 master wheel-wrights, 3 master carriage-makers, 3 master blacksmiths, and 120 artificers, viz. 40 wheel-wrights, 40 carriage-makers, and 40 blacksmiths.

This department is charged with the making, in the laboratories of the United States, all gun-carriages, ammunition waggons, travelling forges, and every other apparatus for the artillery, and with the preparing all kinds of ammunition for garrison and field service. It is likewise charged with the inspection of powder, cannon, shot, and other ordnance stores, made under contract with the United States; with the distribution of ordnance; and with the preservation and safe keeping of all ordnance stores.

§ 15. VI. *The purchasing department.* The commissary general, 10 deputy commissaries, 6 assistant commissaries, and 17 military store keepers.

The commissary general of this department and his deputies purchase, upon the orders and estimates of the war department, all ordnance, ordnance stores, laboratory utensils, artificers' tools, artillery carriages, ammunition waggons, timber and other materials for making and repairing these; artillery harness, ammunition, small arms, accoutrements, and equipments; clothing, dragoon saddles and bridles; tent poles, camp kettles, mess pans, bed-sacks, medicines, surgical instruments, hospital stores, and all other articles required for the public service of the army of the United States, excepting only, such as are directed to be purchased by the quarter master general's department. The ar-

ticles so purchased, are delivered over, by the commissary general or by his deputies, to an officer of the quarter master general's department, for transportation to the places of their destination and use.

§ 16. VII. *Paymaster's department.* The paymaster of the army, 8 deputy paymaster generals, 3 assistant do., 30 district and 2 assistant paymasters.

§ 17. VIII. *The hospital department.* The physician and surgeon general, the apothecary general and his assistants, 20 hospital surgeons and 2 mates to each, 20 stewards, 20 ward masters, 2 surgeons, and 31 surgeon's mates.

It is the duty of the physician and surgeon general to prescribe rules for the government of the hospitals of the army; to see these enforced; to appoint stewards and nurses; to call for and receive returns of medicines, surgical instruments, and hospital stores; to authorize and regulate the supply of regimental medicine chests; to make out general half yearly returns of these, and of the sick (in hospitals) to the war department, and yearly estimates of what may be wanted for the supply of the army. The apothecary general assists the physician and surgeon general in the discharge of the above mentioned duties, and receives and obeys his orders in relation thereto.

The apothecary general and his assistants receive and take charge of all hospital stores, medicines, surgical instruments, and dressings, bought by the commissary general of purchases or his deputies, and account to the superintendant general of military supplies for all expenditures of the same.—It is the further duty of the apothecary general and his assistants to pay (monthly) the wages of the stewards, ward masters, and nurses of the hospital, the accounts being duly certified by the senior surgeon present, and settled quarterly. They also compound and prepare all officinals, and put up and issue medicines, &c. in chests, or otherwise, conformably to the direction of the physician and surgeon general, or on the estimates and requisitions of the senior surgeons of hospitals, and of the regimental surgeons. Returns are made to the apothecary general's office, quarterly, by the deputy apothecaries, surgeons, and mates, or any one having charge of instruments, medicine, hospital stores, and hospital equipments of any description. The forms of these returns are regulated by the apothecary general, under the direction of the superintendant general of military supplies, to whom one copy of the returns is sent.

The senior hospital surgeon is *ex officio* the director of the medical staff in the army or district to which he is attached.—He must reside at or near head-quarters, countersign all requi-

sitions of regimental surgeons or mates on the apothecary general or his assistants, inspect the hospitals under his direction, correct abuses, and report delinquencies. It is his duty to make quarterly reports to the physician and surgeon general of the sick and wounded in the hospital to which he is attached, and of the medicines, instruments, and hospital stores, received, expended, on hand, and wanted, on the 1st of January, April, July, and October, of each year. He must also keep a diary of the weather, together with an account of the medical topography of the country in which he serves, and report to the commanding officer every circumstance tending to restore or preserve the health of the troops.

It is the duty of hospital surgeons, or others acting in that capacity, to superintend every thing that relates to the hospital, as to its construction, its government, and its police. To order the steward to furnish whatever may be necessary or convenient for the sick. To visit the sick and wounded in the hospital every morning, and in the evening require from the resident mate a report of all alterations that may have occurred since the morning prescriptions. To prescribe on a blotter for the instruction and convenience of the mate. To have the police rules of the hospital printed or written in a legible hand, and hung up in each ward, and to assign appropriate wards to the patients, according to their respective diseases. To keep a register of all patients admitted into the hospital, wherein shall be specified the name, rank, regiment, company, disease, dates of admission, discharge, desertion, or death; and also to keep a case book, in which shall be recorded the history of every important or interesting case of disease. The general result or outlines of the case book, as well as an account of medicines, instruments, hospital stores, furniture, &c. received, on hand, and wanted, must be reported monthly.

It is the duty of the mates to attend at the hour appointed by the surgeon, to visit the patients with him, and note his prescriptions. Each mate must keep a case book similar to the one prescribed for the surgeon. They must also attend to the administering the prescriptions of the surgeon, dress all wounds and ulcers, enforce the established discipline of the hospital, and report to the proper officers all delinquencies. One of the mates, at least, must remain constantly within call of the hospital. The medicine and instruments are under the immediate care of the mates.

It is the duty of the steward, under the direction of the surgeon, to provide for the hospital, to receive and take charge of all hospital stores, furniture, utensils, &c. to keep an accurate

account of all issues, and specify not only *for* whom, but *by* whom, ordered; the surgeon's certificate to be his voucher. The steward is responsible to the apothecary general, or his assistant, for the faithful discharge of his office.

The ward master is under the direction of the steward. He receives the arms, accoutrements, and clothing of every patient admitted into the hospital. He sees that the clothes are immediately washed, numbered, and labelled with the name, regiment, and company of the patient, and put away in a place provided for that purpose; and if the arms and accoutrements are not brought with the patient, he must so report. He is responsible for the cleanliness of the patients and the wards, and must call the roll every morning and evening, and report all absentees. He must be particularly careful in the proper construction of the close stools, and see that they have always a proper quantity of water or charcoal in them, and that they are cleansed at least three times a day. He must see that the beds and bed-clothes are properly aired and exposed every fair day to the sun, that the straw in each bed-sack is changed at least once in every month, and that each patient is washed and his hair combed every morning. When a patient has died, or been discharged, he must see that the bed and bed-clothes are properly cleaned, and the straw burned, and that the nurses and attendants are kind and attentive to the sick and wounded. All the attendants are under his immediate direction, and he is responsible for the faithful performance of the duties assigned them*.

§ 18. IX. *The judge advocates and the chaplains.* A judge advocate to each division, of which there are eight, and a chaplain to each brigade, of which there are sixteen in the army.

§ 19. The engineer corps was first instituted in 1802. This corps constitutes a military academy, which is stationed at West Point, in the state of New York; but all the members of the corps are subject, at all times, to do duty in such places, and on such service, as the president of the United States shall direct.

The corps, when complete, consists of a colonel, a lieutenant-colonel, 2 majors, 6 captains, 6 first and 6 second lieutenants, a paymaster, 4 serjeants, 4 corporals, a teacher of music and 8 musicians, 20 artificers, and 80 bombardiers, making an aggregate of 140 men. The number of cadets or pupils authorized is 250. The number on the first of June, 1814, was 164.

* Besides the general hospitals, there is attached to each regiment a regimental hospital, or infirmary, which is under the care of the regimental surgeon and his mates, who are empowered to send the wounded and chronic cases to the general hospital, and all the sick, in the event of their being ordered to be left behind on a march.

It must be observed that the above statement of the regular military establishment of the United States is the authorized, and not the real existing force. Such is the facility of earning a subsistence in this country, that the ranks of the army are but slowly filling up, notwithstanding the very great inducements held out to recruits.

§ 20. The rank of the regiments in the service of the United States is as follows:

1st. The light artillery.
2d. The light dragoons.
3d. The foot artillery.
4th. The infantry. } According to the numbers of
5th. The riflemen. } the regiments respectively.
6th. The volunteers in the service of the United States, and } According to the numbers given to them respectively by the general commanding the district.
7th. The militia drafts. }

This regulation however is confined to parades. On all other occasions, regiments are drawn up in the way which may be directed by the general, or other commanding officer.

§ 21. The following are the principles which govern the decision of rank among the officers:

1st. Rank in actual service, when appointed.

2d. Former rank and service in the army, or marine corps, of the United States.

3d. Lottery—among such as have not before been in the military service of the United States.

In all cases in which command shall not have been specially given, the eldest officer, whether of cavalry, of artillery, or of infantry, commands.

Where a controversy concerning rank arises from the sameness of date in commissions, it is determined by reference to former commissions in the regular service; and if none such should have been held, by former commissions in the militia.

Brevet rank gives no precedence nor command, except on detachments; nor can persons having such rank only, be included in the roster of officers for any duty other than that performed by detachments, and to which they shall be specially assigned.

Officers of the regular army of the same grade with those of the volunteers and militia, have precedence of these, whatever may be the dates of their respective commissions.

There is no precedence between staff departments. The officers assigned to these, take rank, 1st, from the brevets they hold, and 2d, from the rank they respectively have in the line.

§ 22. The rules with regard to promotion are, that original vacancies are supplied by selection; accidental vacancies by seniority, excepting in extraordinary cases. Promotions to the rank of captain are made *regimentally;* to that of field appointments by *line;* the light artillery, dragoons, artillery, infantry, and riflemen, being kept always distinct.

§ 23. The following table exhibits the pay, subsistence, and forage of the military establishment:

Rank or grade.	*Pay per month.*	*Forage by number of horses.*	*Subsistence or rations per day.*	*Remarks.*
Major general,	$200	7	15	
Sec'ry to the general commanding the army U. States,	24	2		In add. to comp. in line.
Aid-de-camp to a major general,	24	2	4	Do. do. do.
Brigadier general,	104	5	12	
Aid-de-camp to a brigadier general,	20	2		Do. do. do.
Brigade major,	24	2		Do. do. do.
Brigade chaplain,	50	2	4	
Judge advocate,	50	2	4	
Adjutant and inspector general,	104	5	12	
Adjutant general,	90	5	6	
Assistant do. do.	60	4	4	
Inspector general,	75	4	6	
Assistant do. do.	60	4	4	
Quarter master gen.	75	4	6	
Deputy do. do. do.	60	4	4	
Assistant dep. do. do.	40		3	
Topograph'l engineer,	60	4	4	
Assistant do. do.	40		3	
Paymaster of army,	2000			Per year from 1 Jan. 1814.
Dep. paymaster gen.	50			In add. to comp. in line.
Assistant do. do. do.	30			Do. do. do.
District paymaster,	50	3	4	To be taken from priv. life.
Assistant paymaster,	40	1	3	Do. do. do.

Rank or grade.	*Pay per month.*	*Forage by number of horses.*	*Subsistence or rations per day.*	*Remarks.*
Regimental paymast.*	$10	2		In add. to comp. in line.
Do. adjutant,	10	2		Do. do. do.
Principal waggon mast.	40	1	3	
Waggon master,	30	1	2	
Principal forage mast.	40	2	3	
Assistant do. do.	30	1	2	
Conductor of artillery,	30		2	
Principal barrack mast.	40	2	3	
Deputy barrack mast.	30	1	2	
Superintendant of artificers,	45	1	3	
Assistant do.	30		2	
Master artificers,	30	Rations in kind only.		$1\frac{1}{2}$ rations per day each.
Artificers of the corps of that name,	16			
Special commissary of purchases,	60	4	4	
Commissary general of ordnance,	75		6	
Assistant do. do.	50		7	
Deputy commissary of ordnance,	40	1	5	
Assistant do. do. do.	30		2	
Wheelwrights, carriage makers, and blacksmiths,	16	Rations rec'able in kind only.		Of the ordnance department.
Labourers,	9			
Commissary general,			3,000	dollars per ann.
Superintendant,			3,000	do. do.
Physician and surgeon general,		2	2	2,500 do. do.
Apothecary general,			1,800	do. do.
Hospital surgeon,	75	2	6	
Hospl. surgeon's mate,	40	2	2	
Hospital stewards,	20		2	
Ward masters,	16		2	

* Paymasters of the corps of artillery, same pay as regimental paymasters.

Rank or grade.	*Pay per month.*	*Forage by number of horses.*	*Subsistence or rations per day.*	*Remarks.*
Surgeons,	$60	2	3	
Surgeon's mates,	45	2	2	
Professor of natural and experimental philosophy,	60	3	5	Of the corps of engineers only.
Assistant do. do.	40		3	
Professor of mathematics,	50	3	4	
Assistant do. do.	40		3	
Professor of the art of engineering,	50	3	4	
Assistant do. do.	40		3	
Teacher of the French language,	40		3	
Teacher of drawing,	40		3	
Cadet,	16		2	
Col. (except of cavalry)	75	4	6	
Lt. colonel do. do.	60	3	5	
Maj. (except cavalry)	50	3	4	And forage for the light artillery, when mounted, the same as for light dragoons.
Capt. (except cavalry)	40		3	
First lieut. do. do.	30		3	
Second lieut. do. do.	25		3	
Third lieut. do. do.	23		3	
Ensign,	20		3	
Serjeant major,	12	Annual suits of clothing and rations receivable in kind only.		Pay during the continuance of the present war.
Quar. mast. serjeant,	12			
Serjeant,	11			
Principal musician,	11			
Corporal,	10			
Musician,	9			
Private, driver, bombardier, matross, sapper and miner,	8			
Artificer, saddler, farrier and blacksmith not attached to the quarter master general's and ordnance department,	13			

Rank or grade.	*Pay per month.*	*Forage by number of horses.*	*Subsistence or rations per day.*	*Remarks.*
Col. of cavalry,	$90	5	6	Provided they furnish their own horses and accoutrements, and actually keep in service the aforesaid number of horses, to entitle them to their forage, or an equivalent in money, at 8 dollars per horse.
Lt. colonel do.	75	4	5	
Major do.	60	4	4	
Captain do.	50	3	3	
First lieut. do.	33 $33\frac{1}{3}$	2	3	
Second lieut. do.	33 $33\frac{1}{3}$	2	3	
Third lieut. do.	30	2	3	
Cornet do.	26 $66\frac{2}{3}$	2	3	
Riding master do.	26 $66\frac{2}{3}$	2	2	
Mast. of sword, do.	26 $66\frac{2}{3}$	2	2	
Lt. Col. of artillery,	75	3	5	
Major of artillery,	60	3	4	
Captain do.	50		3	
First lieut. do.	33 $33\frac{1}{3}$		2	
Second lieut. do.	33 $33\frac{1}{3}$		2	
Third lieut. do.	30		2	
Col. light artillery,	90	5	6	
Lieut. colonel do.	75	4	5	
Major do.	60	4	4	
Captain do.	50	3	3	
First lieut. do.	33 $33\frac{1}{3}$	2	2	
Second lieut. do.	33 $33\frac{1}{3}$	2	2	
Third lieut. do.	30	2	2	
Non-commissioned officers and privates of the companies of rangers	$1 per day each; 75 cents per day without horses.			To furnish their own rations, arms, equipments, and horses.

Women (in the proportion of 1 to every 17 men) a ration in kind, also to matrons and nurses allowed in hospitals.

NOTE.—Though *forage* may be allowed for the number of horses noted, yet *money in lieu thereof* cannot. A distinction should therefore be drawn, say *forage-money* for one horse only, to all those *of the staff*, who have not been entitled, heretofore, to more than ten dollars per month. The brigade major, aid to a brigadier, and adjutant, are expressly limited to that. The allowance of forage in kind, hay, oats, and corn, may be made to as many horses in actual service as the war department directs.

§ 24. The militia of the United States consists of every free able-bodied white male citizen of the respective states, resident therein, between 18 and 45 years of age, excepting the vice-president of the United States; the judicial and executive officers of the general government; the members of both houses of congress, and their respective officers; the custom-house officers and their clerks; post-officers, and stage-drivers who are employed in the care and conveyance of the United States mail; the ferry-men employed at all ferries on a post-road; inspectors of exports; pilots; mariners in the employ of any citizen or merchant within the United States; and all person exempted by the laws of the state in which they live.

The power of appointing the officers and of training the militia is vested in the respective states, but congress is empowered to provide for calling them out for the purposes of executing the laws of the union, suppressing insurrections, and repelling invasions. Congress is also empowered to provide for organizing, disciplining, and arming the militia, and for governing such part of them as are employed in the service of the United States.

The aggregate number of militia in the United States, according to the statement laid by the executive before congress, on February 13, 1813, was 719,449. In this statement, however, the militia of Louisiana, and of the Missouri and Illinois territories; were not included, no returns having been received from those districts. The following is the number in each state; the figures preceding the names of the states point out the date of the return.

1812 New Hampshire	24,405
1812 Massachusetts	70,530
1809 Vermont	20,273
1811 Rhode Island	4,211
1812 Connecticut	21,666
1812 New York	98,606
1811 New Jersey	33,891
1812 Pennsylvania	99,414
1810 Delaware	7,451
1811 Maryland	32,189
1811 Virginia	75,780
1812 North Carolina	50,992
1811 South Carolina	33,729
1810 Georgia	25,729
1811 Kentucky	44,422
Carried over	643,288

Brought over	643,288
1812 Tennessee	29,183
1811 Ohio	35,275
1812 District of Columbia	2,252
1812 Mississippi Territory	5,291
1811 Indiana Territory	4,160
	719,449

The armament of the militia is progressing very rapidly, but no complete returns have been received of the ordnance, arms, and ammunition of the respective states. On the 23d of April, 1808, congress made an appropriation of $ 200,000 per annum, for the purpose of providing arms and military equipments for the whole body of the militia of the United States, to be distributed among the several states and territories, in proportion to the effective number in each. The number of arms purchased under this appropriation, up to the 8th of July, 1813, was 34,477, of which 26,000 stands had been distributed.

The militia are arranged into divisions, brigades, regiments, battalions, and companies, according to the regulations of the respective states, but they are uniformly officered agreeably to the laws of the union. They are subject to the same rules as to rank and discipline as the regular troops, and, when employed in the service of the United States, they are subject to the same rules and articles of war, excepting that they are not subject to corporal punishment by whipping, in lieu of which is substituted, stoppage of pay, confinement, and deprivation of part of the rations. When in the service of the United States, they are entitled to the same pay, rations, and emoluments as the regulars; the general officers are apportioned among the states as the president may think proper.

To each battalion of militia, there must be at least one company of grenadiers, light infantry, or riflemen, and to each division, at least one company of artillery and one troop of horse, the artillery and horse to be formed of volunteers, uniformly clothed in regimentals.

All militia detachments in the service of the United States, must be made under the requisition of some officer of the United States on the executive authority of the state, or of the territory, from which the detachments are to be drawn. In these requisitions, privates, non-commissioned and commissioned officers, must be in the same proportions to each other, as obtain in the regular army, the looser method of requiring

regiments or brigades, being discontinued. So soon as one hundred privates, eleven non-commissioned and five commissioned officers, have been organised as a company under any requisition, they are mustered and inspected by an inspector general or his assistant, or some other officer of the army of the United States, thereto specially appointed; upon whose rolls and reports they are entitled to pay, &c.

§ 25. A short time previous to the declaration of war, the president was authorised to accept of any companies of volunteers, either of artillery, cavalry, or infantry, who might associate and offer themselves for the service, not exceeding 50,000 men. These volunteers were to be clothed, and, in the case of cavalry, furnished with horses, at their own expence, and armed and equipped at the expence of the United States after they should be called into service. The commissioned officers were to be appointed in the manner prescribed by law in the state or territory to which they might belong. Where any company, regiment, brigade, &c. was already organized, they were to continue to be commanded by the officers holding commissions at the time of the tender, and vacancies were to be filled agreeably to the law of the state to which they should belong.

The terms on which these volunteers were to be accepted were, that they should be liable to be called on to do military duty at any time the president should judge proper, within two years after he notified his acceptance; and that they should be bound to continue in service for twelve months after their arrival at the place of rendezvous, unless sooner discharged; and whilst in service, they were to be under the same rules and regulations, and be entitled to the same pay, rations, forage, and emoluments of every kind, bounty and clothing excepted, as the regulars. The non-commissioned officers and privates, however, were each to be allowed the cost of the clothing of a regular of the same rank.

Compensation was to be made for damage done to horses while in actual service; the wounded were to be placed on the list of invalid pensioners; and the heirs and representatives of the non-commissioned officers and soldiers who might be killed in action, or die in actual service, were to be entitled to receive 160 acres of land. On the discharge of any non-commissioned officer or soldier, who had been at least a month in actual service, and obtained a certificate that he had faithfully performed his duty, from his commanding officer, he was to be presented with a musket, bayonet, and other personal equipments, if attached to the artillery or infantry; if to the cavalry, with the sabre and pistols furnished him by the United States, as a pub-

lic testimonial of the promptitude and zeal with which he had volunteered in support of the rights and honour of the country.

On the 24th of Febuary, 1814, the president was authorized to receive into service such proportion of the volunteers before authorized as he might think necessary, provided they should engage to serve for five years or during the war, unless sooner discharged, in which case they were to be entitled to the same bounty and emoluments of every kind as the regular troops. The bounty alluded to is $ 124 in money, and 160 acres of land.

§ 26. Every officer and soldier, whether in the regular service, militia, or a volunteer corps, who is disabled in the actual service of the United States, in the line of his duty, is entitled to be placed on the pension list, during life, or the continuance of his disability. The pensions are regulated by the degree of disability, the amount to be fixed by congress. A full pension to a commissioned officer is half of the pay to which he was entitled at the time of incurring the disability, not exceeding, however, the half pay of a lieutenant-colonel; a full pension to non-commissioned officers and soldiers is $ 5 a month. No sale, transfer, or mortgage of any part of a pension is valid before it becomes due, and every person claiming it under power of attorney or substitution, must, before he receives it, make oath that such power or substitution is not given by reason of any transfer of the pension.

The act of April 10, 1806, entitled all revolutionary soldiers, who were not on the pension list of any state, to be placed on the pension list of the United States, a privilege which was extended, on the 25th of April, 1808, to all persons who then remained on the pension list of any of the states.

The military pensions for the year ending September 30, 1813, amounted to $ 87,103 83; for 1814 they were estimated at $ 98,000.

CHAPTER VI.

OF THE FEDERAL CONSTITUTION.

(In Continuation.)

§ 1. The navy. § 2. Pay and subsistence. § 3. Distribution of prize money and bounties. § 4. Navy pension fund. § 5. Regulations of privateers and letters of marque. § 6. Privateer fund. § 7. Privateer journals. § 8. Punishment of offences committed by or in privateers. § 9. The marine hospital fund. § 10. Fund for the relief of destitute seamen in foreign countries. § 11. Regulation and protection of seamen in the merchant service. § 12. Consuls and ministers.

§ 1. By the estimate of appropriations for the year 1814, which was laid by the secretary of the treasury before the house of representatives, it appears, that the vessels in actual service in the United States navy, on the 31st of January, 1814, exclusive of those on the lakes, were seven frigates, two corvettes, seven sloops of war, two block ships, four brigs, and three schooners. Three frigates and three 74 gun ships were then on the stocks. Besides these there are a great many gunboats and barges in service, which are calculated for the defence of bays, ports, and harbours. By the same document, the number of officers and men necesary for manning the whole navy, including the vessels on the lakes, is estimated at 22 captains, 18 masters commandant, 107 lieutenants, 43 surgeons, 10 chaplains, 230 sailing masters, 46 pursers, 450 midshipmen, 57 surgeons' mates, 221 boatswains, 219 gunners, 39 carpenters, 39 sailmakers, 7 coast pilots, 39 captain's clerks, 74 boatswain's mates, 35 gunner's mates, 46 carpenter's mates, 11 sailmaker's mates, 243 master's mates, 84 yeomen, 210 quarter-gunners, 160 quarter-masters, 39 masters at arms, 39 armourers, 221 stewards, 221 cooks, 11 coopers, 34 coxswains, 14 ship's corporals, 3,729 able seamen, and 6721 ordinary seamen and boys, making an aggregate of 13,339 souls. The number authorized by law of the marine corps is one lieutenant-colonel commandant, one major, 6 captains, 20 first lieutenants, 18 second lieutenants, 56 sergeants, 233 corporals, 50 musicians, and 1484 privates, making an aggregate of 1869 men, of whom 842 were for the sea service, 278 on the lakes, and 742 at head quarters, stations on shore, navy yards, &c.* The sea-fenci-

* By an act passed April 16, 1814, an augmentation of the marine corps was authorized, to the number of 846 men.

bles, being under the war department, have been mentioned in the last chapter.

§ 2. The following table exhibits the pay and subsistence allowed in the navy of the United States to officers and petty officers. The pay of the seamen, ordinary seamen, and marines, is fixed by the president.

Rank or station.	*Pay per month.*	*Rations per day.*
	Dolls.	Number.
Captain of a vessel of thirty-two guns and upwards	100	8
Captain of a vessel of twenty and under thirty-two guns	75	6
Master commandant	60	5
Lieutenant	40	3
Lieutenant commanding	50	4
Chaplain	40	2
Surgeon	50	2
Surgeon's mate	30	2
Master	40	2
Purser	40	2
Boatswain	20	2
Gunner	20	2
Sail-maker	20	2
Carpenter	20	2
Midshipman	19	1
Master's mate	20	1
Captain's clerk	25	1
Boatswain's mate	19	1
Cockswain	18	1
Yeomen of the gun room	18	1
Quarter gunner	18	1
Quarter master	18	1
Carpenter's mate	19	1
Armorer	18	1
Steward	18	1
Cooper	18	1
Master-at-arms	18	1
Cook	18	1

When an officer is employed in the command of a squadron on separate service, his allowance of rations is double.

When officers and men are taken by the enemy, if they have done their utmost to defend and preserve their vessel, and have behaved themselves obediently to their superiors, agreeably to the discipline of the navy, their pay goes on, and is paid them till their death, exchange, or discharge.

§ 3. The proceeds of all captured vessels, and the goods on board, if adjudged good prize, are the sole property of the captors, when of equal or superior force to the vessel making the capture; when of inferior force, one half goes to the captors, and the other to the navy pension fund. The prize money is divided among the officers and men in the following manner.

I. To the commanding officers of fleets, squadrons, or single ships, three twentieths, of which the commanding officer of the fleet or squadron has one twentieth, if the prize be taken by a ship or vessel acting under his command, and the commander of single ships, two twentieths; but where the prize is taken by a ship acting independently of such superior officer, the three twentieths belong to her commander.

II. To sea lieutenants, captains of marines, and sailing masters, two twentieths; but where there is a captain, without a lieutenant of marines, these officers are entitled to two twentieths and one third of a twentieth, which third, in such case, is deducted from the share of the officers mentioned in article No. III.

III. To chaplains, lieutenants of marines, surgeons, pursers, boatswains, gunners, carpenters, and masters mates, two twentieths.

IV. To midshipmen, surgeon's mates, captain's clerks, schoolmasters, boatswain's mates, gunner's mates, carpenter's mates, ship's stewards, sailmakers, masters at arms, armorers, cockswains, and coopers, three twentieths and an half.

V. To gunner's yeomen, boatswain's yeomen, quarter masters, quarter gunners, sailmaker's mates, serjeants and corporals of marines, drummers, fifers, and extra petty officers, two twentieths and an half.

VI. To seamen, ordinary seamen, marines, and all other persons doing duty on board, seven twentieths.

VII. Whenever one or more public ships or vessels are in sight at the time any one or more ships are taking a prize or prizes, they all share equally in the prize, according to the number of men and guns on board each ship in sight.

The commander of a fleet or squadron is not entitled to receive any share of prizes taken by vessels not under his immediate command; nor of such prizes as may have been taken by ships or vessels intended to be placed under his command, before they have acted under his immediate orders; and a commander of a fleet or squadron, leaving the station where he had the command, has no share in the prizes taken by ships left on such station, after he has gone out of the limits of his command.

A bounty of twenty dollars is paid by the United States for each person on board an enemy's ship at the commencement of an engagement, which is sunk or destroyed by an United States vessel of equal or inferior force, the bounty to be divided among the officers and crew in the same manner as prize money.

§ 4. The officers, seamen, and marines, disabled in the line of their duty, are entitled to a pension for life, or during their disability, according to the nature and degree of such disability, not exceeding half pay, out of the navy pension fund, arising from that part of the sale of prizes paid to the United States. In case of death their widows and children are entitled to half pay for five years. The public faith is pledged to make up the deficiency, should their fund prove deficient; and should it prove more than sufficient, the surplus is to be applied to the making further provision for the comfort of the disabled officers, seamen, and marines, and for such as, though not disabled, may merit the gratitude of their country, by their bravery, or by their long and faithful services.

This fund is at present in a very flourishing condition. There are 149 pensioners, who are paid from $ 36 to $ 450 per annum, according to their rank and the degree of their disability. The aggregate of the pensions for 1813 amounted to $ 11,273 20. The dividends arising from the stock belonging to the fund amounted only to $ 10,895 75, but a hundred thousand dollars had been placed in the treasury of the United States on the 28th of December, 1813, for which stock was to be issued, and $ 122,600 41 remained unexpended on the 31st, which was also about to be vested in stock.

§ 5. Commissions to privateers and letters of marque are issued by the president, and are revocable at his pleasure. When applications are made for them, a statement in writing must be made of the name and a suitable description of the tonnage and force of the vessel, the name and place of residence of the owners, and the intended number of the crew; and before a commission can be issued, the commander must give bond, with at least two responsible sureties, not interested in the vessel, for five thousand dollars, or if the vessel be provided with more than 150 men, for ten thousand dollars, conditioned that all who may be employed in the vessel shall observe the treaties and laws of the United States, and the instructions which may be given them by the president according to law, for the regulation of their conduct; that they will satisfy all damages and injuries committed contrary to the tenor of their instructions; and that they will deliver up their commission when revoked by the president.

All captures of vessels and property made by privateers or letters of marque are forfeited for the exclusive benefit of their owners, officers, and crews, and they are allowed a just and reasonable salvage on recaptures, to be determined by the mutual agreement of the parties concerned, or a decree of court. But they are not allowed to break bulk of any vessel; they must be regularly condemned before a competent tribunal, who may decree restitution in whole or in part, when the capture has been made without just cause. And if any capture be made unreasonably, or without probable cause, the court may decree costs and damages to the injured party, for which the owners and commander and the vessel itself is liable. The same bounty for the destruction of vessels of equal or superior force is allowed to privateers as to public vessels, in addition to which they are allowed a bounty of $ 100 for every prisoner captured and delivered to an agent of the United States.

§ 6. Two per cent. on the net amount of prize money, arising from captures and salvage, is paid to the collectors, if the vessels be condemned in the United States, if elsewhere to the American consuls. The monies arising from this source are pledged by government as a fund for the support and maintenance of those who may be wounded and disabled in action, and of the widows and orphans of such as may be slain.

The rest of the prize money is distributed according to the written agreement of the parties; or, if there be none, one moiety is paid to the owners, and the other moiety distributed among the officers and crew, as near as may be according to the rules for the distribution of prize money in the navy, for which see § 3, of this chapter.

§ 7. In order to prevent improper conduct in the commanders of private armed vessels, every commanding officer is obliged to keep a regular journal, containing a true and exact account of his daily transactions and proceedings; the ports and places he puts into or casts anchor in; the time of his stay there and the cause thereof; the prizes he takes, and their nature and probable value; the times and places, when and where taken, and how disposed of. It is also his duty to note the vessels he falls in with, and when and where, with his observations and remarks thereon; and whatever else occurs to him, or any of his officers and mariners, or is discovered by examination or conference with persons in other vessels, or in any other manner, respecting the fleets, &c. of the enemy, their places of destination or station, strength, &c. This journal must be delivered to the collector immediately on the vessel's arrival in port, signed and verified by the oath of the commander; and she is not allowed to sail

again until this is done, and until a certificate is obtained from the collector that she is manned and armed according to her commission, of which an examination is made on her arrival by the proper officer of the customs. A penalty of a thousand dollars, besides the revocation of his commission, is imposed on every commander of a private armed vessel who shall neglect to keep a journal, wilfully make fraudulent entries therein, or obliterate any material transaction in which the interest of the United States is in any manner concerned; or who shall refuse to produce his journal, commission, or certificate to the commander of any public vessel or revenue cutter he may fall in with.

§ 8. Offences committed on board of private armed vessels are tried and punished in the same manner as the same offences committed on board of public vessels. The offenders are confined until the arrival of the vessel in port, or till she meet a public vessel, the officers of which are sufficient to form a court martial for that purpose.

Besides the funds for the benefit of seamen which have already been mentioned, viz. the privateer and the navy pension funds, there are two of a more general nature, one of which is called the marine hospital fund, the other the fund for the maintenance of destitute American seamen in foreign countries, and for the payment of the passages of such of them as may be desirous of returning to the United States.

§ 9. The marine hospital fund arises from a deduction of twenty cents per month from the wages of all seamen, whether in the merchant service, or in the public or private armed vessels of the United States, and from the wages of every person employed in navigating the Mississippi. All fines imposed on navy officers, seamen, and marines also go to this fund. Its use is sufficiently pointed out by its title.

The following is a statement of the amount of expenditures from this fund for sick and disabled seamen, during the year 1812, and in what manner made.

Portsmouth, N. H.; the sick seamen are boarded in private houses, and attended by physicians paid at the customary rates; total expenditure 1812	$ 489	70
Portland, Maine; seamen boarded in private houses, at two and three dollars a week; there was paid to physicians in 1812, 218 $\frac{80}{100}$ dollars; total expenditure - - - - - - -	789	04
Boston; an hospital built and supported at the expense of the United States, with a surgeon who is paid 1000 dollars a year, a steward who is paid		

500 dollars a year, with a matron, nurse, cooks, &c. During the year 1812, 603 sick seamen were received in the hospital, of whom 276 belonged to the navy, and 327 to the merchant service; there were, on an average, 48 constantly in the hospital throughout the year; there were 32 deaths; the average expense per week, per man, was 3 dollars 76 cents; total - - - 9,513 03

Providence; sick seamen boarded in private houses, and attended by a physician (Levi Wheaton) by contract for 200 dollars a year, including necessary medicines; total expense in 1812 619 18

Bristol, R. I.; seamen supplied in private houses, paid in 1812 - - - - - - 12 12

Newport; sick seamen furnished with board at the alms-house, at 3 dollars 12½ cents a week; the physicians' attendance, medicines, hospital stores, clothing, &c. are a separate charge. One insane seaman was supported throughout the year 1,238 15

New London; sick seamen board in private houses at 2 dollars 50 cents and 3 dollars a week. Physician (James Lee) attends the whole and furnishes medicines by contract for 200 dollars a year 1,310 38

Middletown; seamen boarded at private houses at 2 and 3 dollars a week; physicians' charges separate; total in 1812 - - - - - 214 98

New Haven; same as the last; total in 1812 273 19

New York; the seamen are received in the New York hospital, where all expenses are borne, except funeral charges, clothing, and the pay of a superintendent of seamen, at 250 dollars a year, for 3 dollars a week for each seaman; for several insane seamen an additional charge of 1 dollar and 50 cents a week is made. In 1812, 648 seamen were received, of whom 38 were of the navy, and 610 of the merchant service. There were, on an average, 69 seamen in the hospital throughout the year; there were among them 38 deaths. The average expense per week, per man, was 3 dollars and 20 cents; total - - - - 11,091 69

Philadelphia; the sick seamen are received in the Pennsylvania hospital, and all expenses borne, except those for interment and clothing, for 3 dollars and 50 cents a week for each seaman. During the year 1812, 604 seamen were received

(those belonging to the navy and the merchant service not distinguished), of whom 17 died. The average number in the hospital during the year was 47; there was paid for clothing 1,369 dollars 75 cents. The average expense per week, per man, was 4 dollars, total - - -	10,137 68
Baltimore; the seamen were supplied in 1812 under a contract with Dr. Tobias Watkins, with every necessary thing except clothing and funeral expenses, at the rate of 55 cents a day for each man; the number received was 260, of whom 1 only belonged to the navy. The average number supplied throughout the whole year was 37; the deaths were 16; the expense per week, per man, was 4 dollars 54 cents; total - - -	8,448 91
Alexandria; seamen are in part supplied at the alms-house, where 5 dollars a week is paid for all expenses; and in part at private houses at 3 dollars and 50 cents, the physician being paid separately; total in 1812 - - - - - -	323 02
Norfolk; an hospital purchased and supported by the United States, with a physician at an annual salary of 840 dollars, an assistant at 600 dollars, a steward, nurse, &c. Provisions for the sick are furnished by a purveyor, at 25 cents a day for each seaman. The average number in the hospital throughout the year was 24, of whom 23 belonged to the merchant service, and 1 to the navy; there were 15 deaths; the average cost per week was 3 dollars 51 cents; total in 1812 - -	5,441 51
Camden, N. C.; sick seamen boarded in private houses at 2 and 3 dollars a week; the physicians paid separately; total in 1812 - - -	195 26
Edenton; same as the last, board 3 dollars a week	349 59
Plymouth, N. C.; same as the last, board 2 and 3 dollars a week - - - - -	65 65
Washington, N. C.; same as the last, board 2 dollars and 50 cents and 3 dollars -	69 58
Newbern; sick seamen boarded in private houses (no return) - - - - - -	
Wilmington, N. C.; same as the last, board 3 dollars and 50 cents a week - - -	366 29
Charleston; the net amount collected in the port is paid to the city treasurer, the corporation engaging to receive and supply such seamen as are ob-	

jects of relief from this fund; total amount paid in 1812 - - - - - -	1,093 68
Savannah; sick seamen are received in the Savannah hospital, and furnished with every thing at the rate of 4 dollars 50 cents a week each; the account for three quarters of the year 1812 have been received; during that period 84 seamen were admitted, and there were 7 on an average constantly in the hospital; total expense -	1,279 97
New Orleans; the sick seamen are received in the hospital of charity, and there supplied with what is necessary, except medical attendance, at the rate of 75 cents a day each; a surgeon is paid by the United States at the rate of 1000 dollars a year. In 1812, 189 seamen were admitted (those belonging to the navy not distinguished from the merchant service), making an average of 11 constantly in the hospital; the number of deaths not given; the average expense was 7 dollars and 16 cents per week, per man; total - -	4,358 14
	$ 57,680 74

§ 10. The fund for the benefit of destitute American seamen in foreign countries is raised in the following manner:

Whenever an American vessel is sold in a foreign country, and her company discharged, or when an American seaman is discharged with his own consent in a foreign country, the master of the vessel is bound to pay to the consul or commercial agent in the port, three months pay for every seaman so discharged, besides paying the seamen the wages due them. Two-thirds of this sum is paid by the consul to the seaman on his engagement on board of any vessel to return to the United States, the remaining third is retained for the purpose of creating the aforesaid fund.

It is the duty of American consuls and agents to provide subsistence and passages to the United States for all destitute American seamen within their respective districts, and the masters of all American vessels are bound to take them on board for that purpose, on such terms as may be agreed on between the master and consul, not exceeding ten dollars for each person. No master, however, is obliged to take more than two destitute seamen for every hundred tons burthen of his vessel; and the seamen, if able, are bound to do duty on board. In cases where there is no consul nor agent at the port whence the seamen are

brought, such reasonable compensation is to be granted, in addition to the allowance of $ 10, as may be deemed equitable by the comptroller of the treasury.

§ 11. A number of regulations have been established by law at different times, for the government and protection of American seamen.

The masters of vessels bound to foreign ports are required, under certain penalties, to execute a shipping-agreement with their mariners, at the foot of which there must be a memorandum in writing of the day and hour on which the subscribing mariners shall render themselves on board to begin the voyage, which they are bound strictly to observe, on penalty of a day's wages for every hour they are absent. A penalty is also imposed of three days pay for every day he may be absent after shipping himself, and should he be absent more than 48 hours at a time, he forfeits all the wages due to him, every thing that he had on board the vessel, or in any store in which they may have been lodged at the time of his desertion, for the use of the owners of the vessel, besides being liable for all the damages they may sustain by being obliged to hire another seaman in his place. When a seaman deserts in the United States he may be apprehended by a justice of the peace, and confined in the house of correction or common jail, till the vessel is ready to proceed on her voyage, or till the master require his discharge. Heavy penalties also are imposed on persons harbouring runaway seamen.

The act for the protection of American seamen was passed on the 28th of May, 1796. It enacts that the collector of every district shall keep a book for registering seamen who are American citizens, in which every seaman may have his name entered who shall produce authenticated proof of his citizenship, of which he shall receive a certificate.

In order that full and speedy information may be obtained of the impressment of seamen in American vessels, by any foreign power, it is the duty of the master of every American vessel, on board of which an impressment has taken place, as soon as possible to make a protest, stating the manner of such impressment, by whom made, together with the name and place of residence of the person impressed; distinguishing also whether he was an American citizen, and if not, to what nation he belonged. Should this protest be made in a foreign country, it must be transmitted to the nearest consul or agent, or to the American minister, should there be one, and a copy preserved to be sent to the secretary of state on the arrival of the vessel in the United States. Should the protest be made within the United States,

or in a foreign country where there is no consul, agent, or minister of the United States, the original protest must be transmitted to the secretary of state.

The collectors of the customs are bound to make known the provisions of this law to all masters of vessels entering or clearing at their office; and the master of every vessel, before he is admitted to an entry, is required to declare on oath, whether any of his crew has been impressed in the course of his voyage, and how far he has complied with the directions of the act. For a neglect of this duty the master is liable to a fine of $ 100, for which the collector is bound to prosecute.

The collectors send a list of the registered seamen every three months to the department of state, with a list of such impressments as appear to have taken place by the protests of the masters; and it is the duty of the secretary of state to lay an annual statement before congress, containing an abstract of the returns of the collectors, and of the communications received from the agents in foreign countries.

Every American vessel bound on a voyage across the Atlantic, must have on board, at the time of leaving the last port, at least 60 gallons of water, 100lb. of salt meat, and 100lb. of wholesome ship-bread, well secured under deck, for every person on board, over and above the provisions laid in by the master or passengers, and in like proportion for longer and shorter voyages. In case the crew of any vessel which shall not have been so provided shall be put on short allowance during the voyage, they shall have a right to an extra day's pay as long as the short allowance shall be continued. Every American vessel bound on a foreign voyage, of 150 tons burthen, navigated by more than nine persons, must be provided with a chest of medicines, put up by some apothecary of known reputation. The medicine-chest must be examined and supplied at least once a year by an apothecary. In default of attention to these regulations, the master of the vessel must bear the expense attending the sickness of any of his men at any place they may touch at, without any right to deduct it from their wages. The regulation respecting medicine-chests was enacted in 1790; it has been subsequently extended to all merchant vessels of 75 tons or upwards, navigated with more than five persons, and bound to any port in the West Indies.

In order to enjoy the benefits of American vessels, viz. a lower rate of duties on imports and tonnage, and the right to a licence for carrying on the coasting trade or fisheries, it is necessary in the former case to be registered, and in the latter to be enrolled. In both cases they must have been built in the United

States, or owned by a citizen before the adoption of the federal constitution, or sold as prizes for a breach of the laws, and they must be owned wholly by citizens of the United States. The register may at any time be changed for an enrolment, or *vice versa*.

§ 12. Consuls are established in the different towns with which trade is carried on by American merchants, for their protection, and in order to facilitate and dispatch business. In the year 1813, when of course the powers of all the consuls in British ports were suspended by the war, there were forty-four American consuls in different ports. The consuls have a right to receive, in the places to which they are severally appointed, the protests or declarations, which such captains, masters, crews, passengers, and merchants, as are citizens of the United States may respectively chuse to make there; and also such as any foreigner may chuse to make before them, relative to the personal interest of any citizens of the United States. It is their duty, where the laws of the country permit, to take possession of the personal estate left by any citizen of the United States (other than seamen belonging to any ship or vessel who shall die within their consulate), leaving there no legal representative, partner in trade, or trustee to take care of his effects; to inventory the same, with the assistance of two merchants of the United States, or for want of them, of any others at their choice; to collect the debts due to the deceased in the country where he died, and pay the debts due from his estate which have been there contracted; to sell at auction, after reasonable public notice, such part of the estate as may be of a perishable nature, and such further part, if any, as may be necessary for the payment of his debts, and at the expiration of one year from his decease, the residue; and to transmit the balance of the estate to the treasury of the United States, to be holden in trust for the legal claimants. But if, at any time before such transmission, the legal representative of the deceased appear and demand his effects, they must deliver them up, after being paid their fees, and cease their proceedings.

For the information of the representative of the deceased, it is the duty of the consul immediately to notify his death in one of the gazettes published in the consulate, and also to the secretary of state, that the same may be notified in the state to which the deceased belonged; and he must also, as soon as may be, transmit to the secretary of state, an inventory of the effects of the deceased.

When vessels of the United States are stranded on the coasts of their consulates, it is the duty of the consuls, as far as the

laws of the country will permit, to take proper measures, as well for the purpose of saving the vessels and cargoes, as for storing and securing the effects and merchandize saved, and for taking inventories thereof. But the consuls are not to take possession of the property when the master, owner, or consignee is present, or capable of taking possession of it; and should they not be present, it must be delivered to the owners, on demand, and payment of the expenses incurred.

The consuls in the European and American ports receive no salaries, but are allowed certain fees, which are established by law. The consul at Algiers, however, is allowed a salary not exceeding four thousand dollars a year, and the consuls in the other Barbary states a salary not exceeding two thousand dollars a year.

The salary of a minister plenipotentiary cannot exceed nine thousand dollars; that of a charge des affaires four thousand five hundred dollars; nor that of a secretary of legation or embassy, or secretary to a minister plenipotentiary, two thousand dollars per annum. Ministers plenipotentiary and charges des affaires, however, are allowed an outfit of an year's salary. Should any charge des affaires, secretary of legation or embassy, or secretary of a minister plenipotentiary, be appointed during the recess of the senate, and the appointment not be approved of by that body on its meeting, he is not entitled to any compensation*.

* Act of May 1, 1810.

CHAPTER VII.

OF THE FEDERAL CONSTITUTION.

(In Continuation.)

§ 1. Revenues of the United States. § 2. The customs. § 3. The post-office. § 4. Public lands. § 5. Receipts and expenditures from the commencement of the federal government. § 6. Public debt. § 7. Funding system. § 8. The sinking fund. § 9. Statement of the public debt in 1814. § 10. The post-office establishment. § 11. Surveyor general's department and land-offices. § 12. The mint establishment. § 13. United States coin. § 14. Trading-houses with the Indians. § 15. Indian intercourse.

§ 1. THE permanent revenue of the United States is derived from the proceeds of the customs, postage, and the sale of the public lands; to which are occasionally added, a direct tax on land with its improvements and slaves, and a variety of other internal taxes, such as taxes on distilled liquors, refined sugars, carriages, stamps, &c.

§ 2. The most important branch of revenue is the customs, or duties on imports, which, from the commencement of the federal government till 1808, have been almost regularly and constantly increasing in amount. In 1792 the total proceeds from this source amounted only to $ 3,443,070 85; in 1808 they amounted to $ 16,363,550 58: the year 1792 has been taken, as they can hardly be said to have got into complete operation before that time. Since 1808 the decrease has been very considerable, owing to the hostile decrees of the European belligerents, the restraints imposed by our own government, and the war in which we are now involved. They still, however, amount to a very considerable sum.

§ 3. The post-office first began to be productive of a revenue in 1793, in which year the profits amounted to rather more than eleven thousand dollars. The amount is very irregular, owing to the increase of post-offices which is constantly taking place, many of which are at first unproductive.

§ 4. The public lands of the United States arise from the cessions of the right to back lands made to the union by Connecticut and the southern states, for the purpose of paying off the public debt, and from the purchase of Louisiana. The number of acres sold from the opening of the land-offices to October 1, 1812, was upwards of four millions, for which payments had

been received at the treasury of upwards of six millions of dollars. The revenue derived from this source in the year 1811, was upwards of a million of dollars. The United States still hold about four hundred millions of acres, one half of which is in Louisiana, and the remainder in the state of Ohio, and in the different territories.

§ 5. The receipts into the treasury from the commencement of the federal government to the 30th of September, 1812, have been

From the customs	199,524,131	78
Internal revenue	6,460,003	54
Direct tax	1,757,240	84
Postage of letters	667,348	70
Sales of public lands	6,161,283	02
Miscellaneous	1,216,775	39
Total revenue	215,786,783	27
If to this be added the amount of foreign and domestic loans during this period	35,141,512	61
Sales of bank stock	2,671,860	
Dividends on do.	1,101,720	
Interest on stock remitted to Europe	136,400	
Gain on exchange	805,127	39
The total of receipts will be	$255,643,403	27

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The expenditures of the United States during the same period, viz. from the commencement of the federal government to September 30, 1812, have been:

For pay and subsistence of the army	38,572,575	15
Fortification of ports and harbours	3,493,758	96
Fabrication of cannon, in 1802, 1803	263,611	54
Purchase of saltpetre, in 1809	150,000	
Additional arms, in 1809	300,000	
Arming and equipping the militia, in 1808–12	500,000	
Militia detachments, in 1807, 1808	170,000	
Services of militia, in 1812	406,800	
Services of volunteers, in 1812	210,000	
Total expences of military department	44,066,745	65

Brought over		44,066,745 65
Indian department, viz.		
Holding treaties, &c.	822,838 68	
Trading houses	430,298 84	
		1,253,137 52
Naval department		29,889,660 78
Foreign intercourse, exclusive of Barbary powers, and including $ 6,361,000 paid under the convention with France of April 30, 1813, and with Great Britain of January 8, 1802		10,311,145 33
Barbary powers		2,328,810 40
Civil list		12,686,493 36
Miscellaneous civil		7,566,228 17
Total expence of government		108,102,221 21
If to this be added the interest of the public debt		71,442,865 24
Reimbursement of principal		72,632,936 33
Charges on foreign loans		687,290 48
Loss on exchange		99,168 62
And the expenditures on account of the revolutionary government		316,268 70
The sum total of expenditures to September 30, 1812, is		253,280,750 58
Which, with the balance in the treasury on that day		2,362,652 69
Make the sum total of receipts as before stated		$ 255,643,403 27

An explanation of a few of the items in the above statements will perhaps be useful to some readers.

Under the head "miscellaneous," in the statement of receipts, is included a variety of articles, a few of which only will be mentioned. These are, fees on patents, sales of public property, salt works in the western country, fines, penalties, and forfeitures, &c. &c.

The "bank stock," the sales of which constitute another item, consisted of five thousand shares of the stock of the bank of the United States, amounting, at four hundred dollars a share, to two millions of dollars. These shares government was authorized by the bank charter to subscribe for by borrowing the necessary funds from the bank, reimbursable in ten years by equal annual instalments. The profits arising from this transaction were, first, the difference between the dividends, which averaged eight per cent. per annum, and the interest paid

to the bank for the money borrowed, which was six per cent. making $ 40,000 per annum, while the stock was held; and, second, the increased price of the stock when sold, which appears to be $ 671,860. These profits may be considered as the bonus paid by the bank for the charter.

The "civil list," in the statement of expenditures, includes the expences of the legislature, executive, and judiciary, of the federal and territorial governments, including the salaries of all the officers and clerks in the different departments.

Under the head of "miscellaneous civil" are included the contingent expences of government, annuities and grants, military pensions, the expences of the mint, light house, and surveying departments, with a variety of occasional claims, &c. for which special provision is made by congress.

The following tables exhibit a view of the *annual* receipts and expenditures of the United States:

RECEIPTS.

YEARS.	Customs.	Internal revenue.	Direct tax.	Postage.	Public lands.	Miscellaneous.	Aggregate.
From 4th March, 1789, to 31st December, 1791,	4,399,472 99	-	-	-	-	19,440 10	4,418,913 09
1792,	3,443,070 85	208,942 81	-	-	-	9,918 65	3,661,932 31
1793,	4,255,306 56	337,705 70	-	11,020 51	-	10,390 37	4,614,432 14
1794,	4,801,065 28	274,089 62	-	29,478 49	-	23,799 48	5,128,432 87
1795,	5,588,461 26	337,755 36	-	22,400	-	5,917 97	5,954,534 59
1796,	6,567,987 94	475,289 60	-	72,909 84	4,836 13	16,506 14	7,137,529 65
1797,	7,549,649 65	575,491 45	-	64,500	83,540 60	30,379 29	8,303,560 99
1798,	7,106,061 93	644,357 95	-	39,500	11,963 11	18,692 81	7,820,575 80
1799,	6,610,449 31	779,136 44	-	41,000	-	45,187 56	7,475,773 31
1800,	9,080,932 73	809,396 55	734,223 97	78,000	443 75	74,712 10	10,777,709 10
1801,	10,750,778 93	1,048,033 43	584,343 38	79,500	167,726 06	266,149 15	12,846,530 95
1802,	12,438,235 74	621,898 89	206,565 44	35,000	188,628 02	177,905 86	13,668,233 95
1803,	10,479,417 61	215,179 69	71,879 20	16,427 26	165,675 69	115,518 18	11,064,097 63
1804,	11,098,565 33	50,941 29	50,198 44	26,500	487,526 79	112,575 53	11,826,307 38
1805,	12,936,487 04	21,747 15	21,882 91	21,342 50	540,193 80	19,039 80	13,560,693 20
1806,	14,667,698 17	20,101 45	55,763 86	41,117 67	765,245 73	10,004 19	15,559,931 07
1807,	15,845,521 61	13,051 40	34,732 56	3,614 73	466,163 27	34,935 69	16,398,019 26
1808,	16,363,550 58	8,210 73	19,159 21	-	647,939 06	21,802 35	17,060,661 93
1809,	7,296,020 58	4,044 39	7,517 31	-	442,252 33	23,638 51	7,773,473 12
1810,	8,583,309 31	7,330 63	12,448 68	-	696,548 82	84,476 84	9,384,214 28
1811,	13,313,222 73	2,295 95	7,666 66	37 70	1,040,237 53	60,068 52	14,423,529 09
From 1st January to 30th September, 1812,	6,348,865 65	4,903 06	859 22	85,000	452,362 33	35,716 30	6,927,706 56
	199,524,131 78	6,460,003 54	1,757,240 84	667,348 70	6,161,283 02	1,216,775 39	215,786,783 27

EXPENDITURES.

YEARS.	Military Department.	Indian Department. Treaties.	Indian Department. Trading houses	Naval department.	Foreign intercourse.	Barbary powers.	Civil list.	Miscellaneous civil.	Aggregate.
From Mar. 4, '89, to Dec. 31, 1791,	632,804 03	27,000	–	570	1,733 33	13,000	757,134 45	285,887 56	1,718,129 37
1792,	1,100,702 09	13,648 85	–	53 02	78,766 67	–	380,917 58	191,988 94	1,766,077 15
1793,	1,130,249 08	27,282 83	–	–	89,500	–	358,241 08	102,075 29	1,707,348 28
1794,	2,639,097 59	13,042 46	–	61,408 97	146,403 51	–	440,946 58	199,449 09	3,500,348 20
1795,	2,480,910 13	21,475 68	2,000	410,562 03	912,685 12	–	361,633 36	161,330 13	4,350,596 45
1796,	1,260,263 84	55,563 98	58,000	274,784 04	109,739 64	75,120	447,139 05	251,319 85	2,531,930 40
1797,	1,039,402 66	32,396 38	30,000	382,631 89	172,504 23	497,284 31	483,233 70	196,137 79	2,833,590 96
1798,	2,009,522 30	16,470 09	–	1,381,347 76	242,711 22	214,717 52	504,605 17	253,849 48	4,623,223 54
1799,	2,466,946 98	20,302 19	–	2,858,081 84	199,374 11	72,000	592,905 76	270,555 84	6,480,166 72
1800,	2,560,878 77	31 22	–	3,448,716 03	185,145 33	210,142 85	748,688 45	257,767 32	7,411,369 97
1801,	1,672,944 08	9,000	–	2,111,424	139,851 73	155,825	549,288 31	343,336 78	4,981,669 90
1802,	1,221,148 25	20,000	32,000	915,561 87	416,253 62	134,672 31	596,981 11	400,462 75	3,737,079 91
1803,	882,055 85	–	–	1,215,230 53	1,001,968 34	108,866 43	526,583 12	268,119 97	4,002,824 24
1804,	938,923 93	53,000	–	1,189,832 75	1,129,591 62	57,063 95	624,795 63	459,651 03	4,452,858 91
1805,	768,281 28	41,000	100,000	1,597,500	2,655,769 62	142,259 15	585,849 79	466,574 78	6,357,234 62
1806,	1,383,555 38	–	75,000	1,649,641 44	1,613,922 09	146,499 21	684,230 53	527,360 71	6,080,209 36
1807,	1,389,285 91	60,825	44,000	1,722,064 47	419,845 61	157,980 73	655,524 65	535,046 52	4,984,572 89
1808,	3,041,434 40	70,725	2,250	1,884,067 80	214,233 26	90,759 57	691,167 80	509,701 02	6,504,338 85
1809,	3,470,772 17	169,150	43,353 84	2,427,758 80	74,918 12	91,387 92	712,465 13	424,866 16	7,414,672 14
1810,	2,389,923 94	58,225	23,800	1,654,244 20	48,795 60	32,571 88	703,994 03	399,527 63	5,311,082 28
1811,	2,122,828 19	57,725	4,150	1,965,566 39	181,746 15	83,158 32	644,467 27	532,963 54	5,592,604 86
From Jan. 1 to Sept. 30, 1812,	7,464,814 80	55,975	15,745	2,738,612 95	275,686 41	45,501 25	635,700 81	528,255 99	11,760,292 21
	44,066,745 65	822,838 68	430,298 84	29,889,660 78	10,311,145 33	2,328,810 40	12,686,493 36	7,566,228 17	108,102,221 21

§ 6. The debt of the United States may be considered as that part of the price of our independence which was paid for in money. The congress that declared the independence of the then British colonies, and voted an army and navy for its support, were totally devoid of funds, and were not vested, even by the articles of confederation, which were adopted in 1781, with coercive powers to raise money. Before that period, they were supported merely by public opinion, without authority to enforce any measure. They could merely recommend; and yet this body, without authority, and held together by no other tie than common danger, boldly proclaimed independence, levied armies, borrowed monies, and finally carried the country through every difficulty.

The expences of the revolutionary war were defrayed partly by loans obtained from France, and partly by advances made by the several states on the requisitions of congress, but principally by paper money issued by that body. The whole debt of the United States, foreign and domestic, on the first of January, 1784, amounted to about forty-two millions of dollars, including both principal and interest.

The foreign debt, almost wholly due to France, amounted to about six millions and a half of dollars.

The domestic debt consisted of the debt due to the army for arrearages of pay, and for five years pay given to the officers in commutation of half-pay for life; of the debt due for supplies of different species purchased on credit; of loans (chiefly in paper money) obtained in America; and of the remnant of paper money yet in circulation. It amounted to about thirty-five millions and a half of dollars.

During the period between the conslusion of the war and the adoption of the federal constitution, the debt was increased upwards of $ 10,000,000, by the accumulation of interest, and by a loan of $ 3,600,000 obtained in Holland. For a part of the interest on the domestic debt, certificates had been issued, which were called "indents of interest." The debts of the union, on the first of January, 1790, including the arrears of interest, amounted to $ 52,813,673 93, of which the foreign debt amounted to $ 11,908,158 2*.

§ 7. The first session of congress under the federal constitution was principally occupied in organizing the government, by providing for the establishment of the executive departments and of the federal courts; in providing a revenue; and in establishing the salaries of the officers of government. But one of the first objects which occupied their attention in the the next ses-

* Gallatin on the Finances.

sion was a plan for the support of the public credit, which was laid before congress, agreeably to law, by Mr. Hamilton, the secretary of the treasury.

This plan was substantially adopted, but not without considerable opposition, which was principally grounded on the vast depreciation of the value of the domestic debt, and on the plea that it was acting unjustly by the original holders, in favour of a tribe of speculators, who had taken advantage of the necessities of the soldiers to purchase the certificates at an eighth of their value. Two propositions were accordingly submitted by the opposition, one of which, by directing a new settlement of accounts, aimed to annihilate the greater part of the domestic debt; the other went on the ground of paying to the purchasers only the real value they had given, and to the original holders the difference between that and the nominal value of the debt. Both of those propositions, however, were thrown aside in favour of the plan of Mr. Hamilton, slightly modified.

It is proper to observe here, that the opposition was exclusively confined to the plan for funding the domestic debt, there existing no difference of opinion with regard to the payment of the foreign debt according to the original contracts.

The plan finally adopted by congress was as follows:

To enable government to fulfil its engagements with respect to the foreign debt, a new loan of twelve millions of dollars was authorized, and the duties on imports and tonnage, reserving $ 600,000 per annum for the support of government, were pledged for the payment of the principal and interest both of this new loan, and of the future instalments of loans heretofore made in foreign countries.

The domestic debt was also provided for by a loan, in the following manner:

Books for receiving subscriptions to the full amount of the debt were opened at the treasury, and by a commissioner in each state, the sums subscribed to be payable by certificates of the domestic debt, according to their *specie value**, and by bills of credit at the rate of 100 to one, and computing the interest on such as bore interest to the last day of December, 1790.

For any sum subscribed in the principal of the domestic debt the subscriber received a certificate for two-thirds the amount,

* The specie value was computed by a certain scale of depreciation which had been adopted.—By this arrangement no one could suffer injustice except those who received certificates in payment for contracts previously entered into. In purchasing supplies it is evident the certificates would bring no more than their worth, and the difference was made up to the army at the time of payment according to this scale. The domestic loans were likewise mostly paid in paper, the value of which had been fixed by the scale of depreciation.

bearing interest at 6 per cent. per annum, from the first of January, 1791, and another certificate for the remaining third, bearing an interest of six per cent. per annum, from the first of January, 1801. These species of stock are commonly called, the former the *old*, and the latter the *deferred* six per cents.

For any sum subscribed in the interest, or in the "indents of interest," of the domestic debt, the subscriber received a certificate bearing an interest of three per cent. per annum. This species of stock is called the three per cent., and is redeemable at the pleasure of the United States; the two former were not to be redeemed by payments exceeding eight per cent. in one year, on account both of principal and interest, this redemption being at the option of government.

The term for receiving on loan the domestic debt of the United States was first fixed at one year, and afterwards extended from time to time to December 31, 1797, and in the mean time the same rate of interest was allowed to the non-subscribing as to the subscribing creditors. But on the 12th of June, 1798, an act was passed ordering the whole of the principal of the unfunded debt to be reimbursed, and directing public notice to be given of the reimbursement, and that interest thereon should cease at the expiration of six months from the date of the notification. The creditors were also authorized to receive certificates of three per cent stock equal to the arrearages of interest due them prior to January 1st, 1791.

In addition to the foreign and domestic debts of the union, a subscription was opened, at the same times and places as for the domestic loan, for a loan of twenty-one million and a half of the state debts, in certain limited sums for each state. The terms of this subscription were somewhat different from those of the domestic debt of the union. First, instead of funding the arrears of interest at three per cent., and the principal at six per cent., one third of the whole of both the principal and arrears of interest to January 1, 1792, was funded in the three per cent.; two-thirds of the remaining two-thirds in the six per cents, and the other third of the said two-thirds in the deferred six per cent. stocks. Secondly, the interest for the year 1791 was not paid, as on the domestic debt, but funded; and the interest on the three and six per cent. stocks consequently commenced in 1792, that is to say, a year later than on the domestic debt.

§ 8. The public debt being thus funded, it became important to raise its price to its nominal value. For this purpose, as well as for affecting a reduction in its amount, a board of commissioners was established for the management of a fund, which was entitled "the sinking fund." This board consists of the

president of the senate, the chief justice, the secretary of state, the secretary of the treasury, and the attorney-general, any three of whom form a quorum for the transaction of business.

On the first establishment of this fund, by an act passed on the 12th of August, 1790, there was appropriated towards it the whole of the surplus revenue of 1790, and part of some monies arising from foreign loans made during that year. A permanent appropriation was also made of the interest payable on every species of stock which should be purchased by the commissioners, or be received by the United States in payment for lands, or discharged in any other manner. The powers of the commissioners were at first confined to the purchase of stock, but were extended by the act of March 3, 1795, to all reimbursements of principal which should in future be made, and for that purpose various other funds were vested in them, and they were likewise authorized to borrow, with the approbation of the president, such sums as should be necessary, not exceeding a million of dollars in any one year, in anticipation of the revenue. The funds at present vested in the commissioners amount to eight millions of dollars per annum, and are as follow: 1. The proceeds of the sales of the public lands. 2. The interest of the debt redeemed by the commissioners. 3. Whatever balance may be necessary to complete the sum of eight millions.—The two last items are taken from the proceeds of the duties on imports and tonnage, after deducting therefrom the sum of $ 600,000, which is annually reserved for the expenses of government out of those duties.

§ 9. Since the establishment of the constitution, a number of loans have been received by government, both at home and abroad, the interest upon which has varied from four to eight per cent. A stock of eleven millions and a quarter has also been created, as payment in part of the fifteen millions stipulated to be paid to France for Louisiana*. The following statement exhibits a view of the debt of the United States, on the first of January, 1813, including that part of it redeemed by the operation of the sinking fund, as well as that part still in the hands of the public creditors. The exchanged and converted six per cent. stocks mentioned below are stocks which were created by subscriptions of old six per cent. and deferred stocks; or, in other words, by an exchange, by consent of the creditors, of the last-named stocks for stocks reimbursable at terms more convenient for the United States. The nature of the other species of stock has already been sufficiently explained.

* The remaining sum of $ 3,750,000 was appropriated for the payment of American claims on France for illegal captures, &c.

UNREDEEMED DEBT, JAN. 1, 1813.

Domestic debt, viz.				
Six per cent. stock		17,506,485 90		
Three per cent. stock		16,157,972 59		
Deferred stock		9,576,634 68		
Louisiana six per cent. stock		11,070,700		
Six per cent. stock, loan of 1796		80,000		
Exchanged six per cent. stock of 1812		2,745,120 58		
		57,136,913 75		
Six per cent. stock, constituted by an act passed the 14th of March, 1812, entitled "An act authorising a loan of money not exceeding eleven millions of dollars," and for which script certificates were issued	8,034,700			
Deduct, purchased by the commissioners of the sinking fund	57,000			
		7,977,700		
Nominal amount of debt on the 1st of Jan., 1813				65,114,613 75
Deduct reimbursement of the six per cent. and deferred stocks to the 31st December, 1812			19,909,972 19	
From this deduct reimbursement paid on stock subsequently transferred to the sinking fund, to 1st January, 1810		28,748 02		
And the difference between the nominal amount of six per cent. and deferred stocks exchanged, and the amount of exchanged stock issued in lieu thereof, being reimbursement previously paid on said stocks		5,664,227 48		
			5,692,975 50	
				14,216,996 69
Unredeemed amount on the 1st January, 1813				$ 50,897,617 06

Nominal amount of the debt, as above stated - - - - - - - -			$ 65,114,613 75

DEBT REDEEMED BY THE SINKING FUND.

The following sums were in the treasury books, passed to the credit of the commissioners of the sinking fund, on the 31st December, 1812.

Foreign debt, viz.			
Five per cent. stock - - - - - -	8,200,000		
Four and one half per cent. stock - -	820,000		
Four per cent. stock - - - - -	3,180,000		
		12,200,000	
Domestic debt, viz.			
Six per cent. stock - - - - -	1,946,026 92		
Three per cent. stock - - - -	698,555 41		
Deferred six per cent. stock - - -	1,005,179 83		
Eight per cent. stock - - - - -	6,482,500		
Exchanged six per cent. stock - - - -	6,294,051 12		
Converted six per cent. stock - - -	1,859,850 70		
Four and a half per cent. stock - - - -	176,000		
Five and a half per cent. stock - - -	1,848,900		
Navy six per cent. stock - - - - -	711,700		
Louisiana six per cent. stock - - - -	179,300		
Six per cent. stock of 1812 - - - -	57,000		
		21,259,063 98	
			33,459,063 98
			$ 98,573,677 73

§ 10. The post-office and the land-offices have already been cursorily mentioned in speaking of the revenues of the United States. The general post-office is established at the seat of the general government, under the direction of the post-master-general. This officer has perhaps the most extensive patronage of any individual in the United States. He appoints two assistants, the senior of whom, in case of his death, resignation, or removal, performs all his duties, until the appointment of his successor, and his arrival at the general post-office. He also appoints the clerks in the office, and all the post-masters. It is his duty to establish post-offices at all such places as shall appear to him expedient on the post roads that are or may be established by law; to direct the routes, and provide for the carriage of the mail by contract for terms not exceeding four years; to settle all the accounts of the post-masters, pay all the expenses of conducting the post-office, and conveying the mail, and all other necessary expenses arising on the collection of the revenue and management of the general post-office; and to prosecute offences against the post-office establishment. Besides the post-offices on the post roads established by law, he is empowered to provide, by contract, for the carriage of a mail on any road on which a stage-waggon, or other stage-carriage, may be established, provided the expense do not exceed the revenue thence arising. He is also empowered to enter into contracts, for a term not exceeding eight years, for extending the line of posts, and to authorize the persons so contracting, as a compensation for their expenses, to receive, during the continuance of the contract, all the postage that may accrue. The post-master-general is also authorized to make provision, where it may be necessary, for the receipt of letters and packets intended to be conveyed from one port to another in the United States by sea, and likewise to make arrangements with post-masters abroad for the reciprocal receipt and delivery of letters and packets through the post-office.

The following are the rates of postage for letters and newspapers: For every letter composed of a single sheet of paper, conveyed

	not exceeding	40 miles	8 cents
over 40	and not exceeding	90	10
over 90	and not exceeding	150	12½
over 150	and not exceeding	300	17
over 300	and not exceeding	500	20
over 500 miles			25

For every double letter, or one composed of two pieces of paper, double those rates; for every triple letter, or one compos-

ed of three pieces of paper, triple those rates; and for every packet composed of four or more pieces of paper, or other thing, and weighing one ounce avoirdupois, quadruple those rates, and in that proportion for all greater weight. But no packet of letters conveyed by the water mails can be charged with more than quadruple postage, unless it actually contain more than four distinct letters.

Letters and packets brought into the United States, or carried from one port therein to another, in a private vessel, are charged with six cents, if delivered at the post-office where they arrive, and with two cents in addition to the ordinary rates of postage, if destined to be conveyed by post to any other place. No vessel arriving at any port in the United States where a post-office is established, is allowed to report, make entry, or break bulk, until all the letters brought by the vessel for persons in the United States are delivered to the postmaster, except letters to the owners or consignees of the vessel, and letters directed to be delivered at the port of delivery to which the vessel may be bound. The captains of all vessels, except foreign packets, are allowed two cents for each letter thus delivered at the post-office. Postmasters are allowed one cent for every letter lodged at the post-office, which is not to be carried by post, but delivered in the place where the post-office is situated, or sent by sea.

It is the duty of post riders and other carriers of the mail to receive and deliver way-letters, if more than two miles from any post-office, excepting in cases where, in the opinion of the post-master-general, the time or manner of carrying the mail, or the speed of conveyance, render it incompatible. The way-letters received must be delivered at the first post-office, and one cent is added to the rate of postage. The mail carrier is allowed to charge two cents for each way-letter delivered.

The charge for newspapers is one cent for any distance not more than a hundred miles, and a cent and a half for any greater distance. But the postage of a newspaper from any one place to another, in the same state, is only charged one cent, whatever may be the distance. Newspaper printers are allowed to send one paper to the printer of every other newspaper within the United States, free of postage.

When the mode of conveyance and the size of the mails will admit of it, magazines and pamphlets may be transported in the mail at one cent a sheet for any distance not exceeding fifty miles, a cent and a half for any distance over fifty and not exceeding a hundred miles, and two cents for any greater distance.

Newspapers and pamphlets must be dry when sent to the post-office, and they must be enclosed in wrappers open at one end, on which must be written the number of sheets it contains. If a letter or memorandum in writing be enclosed in any newspaper or pamphlet, the person sending it is liable to a fine, and the person to whom it is sent is charged with single postage for each article of which it is composed.

Letter carriers are employed at places where it is so directed by the postmaster general, for the delivery of the letters in such places, for each of which they are allowed to charge two cents in addition to the postage. The postage marked on a letter is conclusive evidence of the lawful postage on it, unless the letter be opened in presence of the postmaster or his clerk.

Letters and packets are conveyed free of postage to and from the following officers of the United States: postmasters, provided the letter or packet does not exceed half an ounce in weight; members of congress, and the secretary of the senate and clerk of the house of representatives, during their actual attendance in any session of congress, and twenty days after; but if either of their letters or packets exceed two ounces in weight, the excess must be paid for; the president, vice-president, heads of departments and their principal officers; Mr. Adams, and Mr. Jefferson. The adjutant general of the militia in each state is also allowed to correspond free of postage with the major and brigadier generals of the state militia, provided the subject relate wholly to the militia. The United States agent for the distribution of the vaccine matter, is allowed the same privilege: he may correspond with any individual on the subject of vaccination, and may transmit the vaccine matter, free of postage, all over the union; a fine of ten dollars for each offence is imposed on every person who shall frank letters other than those written by himself, or by his order, on the business of his office. The secretaries of the departments and postmaster general, however, may frank letters or packets on official business, prepared in any other office, in the absence of the principal.

A list of unclaimed letters is published at each post-office at regular periods, from once a month to once a quarter. At the expiration of three months after such publication, the letters still remaining unclaimed are sent to the general post-office as dead letters, where they are opened and inspected, and if any valuable papers or matter of consequence be found therein, it is the duty of the postmaster general to transmit it to the writer, or cause a description of it to be inserted in one of the newspapers published at the place most convenient to the supposed residence of the owner. Should any letter still remain unclaimed for two years

after being thus advertised, the contents are applied to the use of the United States, until reclaimed.

The salary of the postmaster general is $ 3000 per annum; that of the assistant postmaster general $ 1700, and that of the additional assistant postmaster general $ 1600 per annum. The postmasters are allowed a commission of from eight to fifty per cent. on the receipts of the office, at the discretion of the postmaster general, according to their respective services and expences. Every postmaster, the receipt of whose office exceeds $ 1000 per annum, must annually transmit a statement of the expences of his office to the postmaster general, and when his annual emoluments, after deducting his expences, amount to more than $ 2000 per annum, the surplus must be accounted for and paid to the postmaster general.

A penalty of fifty dollars for each offence is imposed on every person engaged in setting up or maintaining any foot or horse post, stage-waggon, &c. for the conveyance of letters between towns between which there is a United States post; or packet boats for the same purpose between places where a regular water communication is established by the United States.

The number of post-offices in the United States amounts to nearly 2400.

§ 11. There are two principal surveyors in the service of the United States, each of whom has under him a number of deputy surveyors. One of those principal surveyors is called the surveyor general, the other the surveyor of lands south of Tennessee. Their salaries are each $ 2000 per annum, with an allowance of $ 1200 per annum for clerks. Their duty consists in surveying the public lands, and preparing plats for the land-offices.

There are a number of land-offices in the country lying north and west of the river Ohio, and in the Mississippi territory, each of which is under the direction of an officer called the register of the land-office. In each place where a land-office is established there is another officer, who is called the receiver of public monies for lands of the United States. The receiver is allowed one per cent. on the money received, as a compensation for clerk hire, and for receiving, safe keeping, and transmitting it to the treasury of the United States. The register is allowed a half per cent. on the amount of sales, besides certain fees for applications, receipts, &c.

The United States' lands are all divided into townships of six miles square, the lines of which run directly north and south and east and west. These townships are subdivided into square sections of, as nearly as may be, 640 acres each, and these are again

divided into quarter sections of 160 acres. Section No. 16, which is generally about the centre of the township, is reserved for the support of schools, and the remainder of the land is sold in quarter sections at $2 an acre, on a credit of four years, or $1 64 in cash. Mines and salt springs are always reserved for the benefit of the United States, and generally one or two of the central sections of each township.

§ 12. The mint of the United States was established in Philadelphia in 1792. It is conducted by a director, an assayer, a melter, a refiner, a chief coiner, an engraver, and a treasurer.

The director of the mint has the chief management of the business, and superintends all the other officers and persons employed in it.

The treasurer receives the metals brought to be coined, and from every parcel so received delivers a few grains to the assayer, for the purpose of ascertaining their respective qualities, the remainder being delivered, by an order from the director, to the melter and refiner, to be reduced into bars and ingots fit for the rolling mills. The treasurer likewise receives the coins as they are struck, from the chief coiner, and pays them over to the persons to whom they belong. He also receives and keeps all the monies for the use of the mint, which are disbursed upon warrants signed by the director.

Every officer and clerk of the mint must take an oath or affirmation before some judge of the United States, before he enters on the execution of his office, faithfully to perform its duties; and the assayer, chief coiner, and treasurer must give bond with securities.

The following are the salaries as fixed by law: the director $2000, the melter and refiner, assayer, and chief coiner each $1500, and the engraver and treasurer each $1200 per annum.

§ 13. The following coins are struck at the mint, viz.: *Eagles:* of the value of ten dollars or units, containing $247\frac{4}{8}$ grains of pure, or 270 grains of standard gold. *Half eagles:* of the value of five dollars, and containing $123\frac{6}{8}$ grains of pure, or 135 grains of standard gold. *Quarter eagles:* of the value of two dollars and a half, and containing $61\frac{7}{8}$ grains of pure, or $67\frac{4}{8}$ grains of standard gold. *Dollars or units:* of the value of a Spanish milled dollar, and containing $371\frac{4}{16}$ grains of pure, or 416 of standard silver. *Half dollars:* of half the value of the dollar or unit, and containing $185\frac{10}{16}$ grains of pure, or 208 grains of standard silver. *Quarter dollars:* of one fourth the value of the dollar or unit, and containing $92\frac{13}{16}$ grains of pure, or 104 grains of standard silver. *Dismes:* of the value of one

tenth of a dollar or unit, and containing $37\frac{2}{16}$ grains of pure, or $41\frac{3}{5}$ grains of standard silver. *Half dismes:* of the value of one twentieth of a dollar, and containing $18\frac{9}{16}$ grains of pure, or $20\frac{4}{5}$ of standard silver. Copper coins, called *cents* and *half cents*, of the value of a hundredth and a two hundredth part of a dollar respectively, the weight of which is regulated from time to time by the president.

Upon one side of all the coins of the United States there is an impression emblematic of liberty, with an inscription of the word LIBERTY, and the year of the coinage; and upon the reverse of the gold and silver coins there is the figure or representation of an eagle, with this inscription, "UNITED STATES OF AMERICA;" and upon the reverse of the copper coins, there is an inscription expressing the denomination of the piece, namely, cent or half cent, as the case may require.

The proportional value of gold to silver in all coins current as money within the United States, is as fifteen to one, according to quantity in weight of pure gold or pure silver; that is to say, every fifteen pounds weight of pure silver is of equal value with one pound weight of pure gold, and so in proportion as to any greater or less quantities of the respective metals.

The standard for gold coins of the United States, is eleven parts fine to one part alloy; which alloy is composed of silver and copper, in such proportions, not exceeding one half silver, as may be found convenient; to be regulated by the director of the mint, with the approbation of the president. The standard for silver coins is 1485 parts fine to 179 parts of copper alloy.

Gold and silver is coined at the mint for individuals, who send bullion there for that purpose; the copper coinage is executed for the account of the United States. The bullion is coined free of expence; coins being delivered to the owners, as soon as their bullion is coined, weight for weight, of the pure gold or pure silver which it contained: and it is at the mutual option of the party bringing bullion, and of the director of the mint, to make an immediate exchange of coins for standard bullion, with a deduction of a half per cent. from the weight of the pure gold or silver, as an indemnification for the time necessarily required for coining. The copper coinage is disposed of to individuals who may apply for it at the mint, as fast as coined.

Two cents per ounce is retained from every deposit of silver bullion below the standard of the United States; and four cents per ounce from every deposit of gold bullion below the standard, unless it be so far below it as to require the operation of the test; in which case six cents per ounce is retained. The treasurer is not obliged to receive silver bullion, below the stan-

dard, in a smaller quantity than two hundred ounces; nor gold bullion below the standard in a smaller quantity than twenty ounces.

No preference can be given in the order of coinage, unless one deposit is below, and another of the standard of the United States, in which case the latter has the preference.

Foreign gold and silver coins have been declared a legal tender for limited terms by various acts of congress. These have now all expired, and no foreign coins are a legal tender excepting Spanish milled dollars, the actual weight of which shall not be less than 17 dwt. and 17 grs., and parts of such dollars, that are of proportional weight.

By a report from the assayer of the mint, laid before congress in December, 1813, it appears,

1. That the gold coins of Great Britain and of Portugal are all uniformly of the same quality, and exactly equal to that of the gold coins of the United States; and therefore, their intrinsic value is at the rate of 100 cents for 27 grains, or $88\frac{8}{9}$ cents per pennyweight.
2. That the gold coins of France, especially those issued since the year 1806 inclusive, are also of a uniform quality, their intrinsic value being at the rate of 100 cents for $27\frac{35}{691}$ grains, or $87\frac{25}{100}$ cents per dwt.
3. That the gold coins of Spain are somewhat variable in their quality, their average intrinsic value being at the rate of 100 cents for $28\frac{738}{1331}$ grains, or $84\frac{3}{100}$ cents per dwt.
4. That the intrinsic value of the French crown, supposing its weight 18 dwt. 17 grs. is 110 cents, and $\frac{7527}{6949800}$ parts of a cent.
5. That the intrinsic value of the Spanish dollar, exclusive of those issued prior to the year 1806, supposing it of the full weight of 17 dwt. 7 grs. is 100 cents, and $\frac{25935}{694980}$ parts of a cent.

In order to secure a conformity of the gold and silver coins to their respective standards, the treasurer is bound to reserve a certain number of pieces, not less than three, from every separate mass of standard gold or silver which is coined, which pieces are assayed once a year under the inspection of the district judge, the district attorney, and the commissioner of loans for the state of Pennsylvania.

The total value of the coins made at the mint, from its establishment to December 31, 1813, is $ 12,806,644 49.

The total expences of the establishment during the same period are:

Amount of disbursements at the mint for salaries, wages, and contingent expences		453,575 02½
Wastage on coinage		48,695 73½
		502,270 76
From which deduct		
Amount retained on deposits for refining	4,833 71½	
Gain on the copper coinage	38,848 65	
		43,682 36½
Total expence incurred by government for the gold, silver, and copper coinage of the United States, including cost of lots, buildings, machinery, &c.		$ 458,588 39½

§ 14. The regulation of commerce with the Indian tribes is one of the powers entrusted to the general government by the constitution, a provision wisely calculated to prevent the dangers which would arise from a perfect freedom of intercourse between them and the citizens of the United States.

For the purpose of carrying on a liberal trade with the Indians within the United States, trading houses are established at different places on the frontier, or in the Indian country, and a public agent appointed to reside at each. There is a superintendant of Indian trade, with a salary of $ 2000 per annum, whose duty it is to purchase and take charge of the goods intended for the trading houses, and to transmit them thither under the direction of the president; and likewise to dispose of the fur and peltry purchased from the Indians. Three hundred thousand dollars have been appropriated as a fund for this trade, and it has been enacted that the prices of goods supplied to the Indians shall be regulated in such a manner that the capital stock shall not be diminished. The salaries of the superintendant and agents, however, are not taken from the trading fund, there being a separate appropriation for that purpose.

The superintendant and Indian agents are not allowed to engage in any kind of trade other than with the Indians on the public account; and the agents are restricted from purchasing or receiving in any manner from the Indians, guns or other articles used in hunting, instruments of husbandry or cooking utensils of the kind usually obtained by Indians in their intercourse with the whites, or any articles of clothing except skins and furs.

§ 15. Citizens are not allowed to cross the Indian boundary line without passports, nor to reside at any Indian town or hunting camp as traders without a license, which may be granted by

persons authorized for this purpose, on the applicant giving bond with sureties for the observance of the regulations and restrictions made by government respecting the trade and intercourse with the Indians. No purchase of land can be made from the Indians either by states or individuals.

The United States guarantees to individuals an eventual indemnification for property stolen or destroyed by Indians, provided no attempt to obtain private satisfaction and revenge is made by the injured party. Application for satisfaction must be made by furnishing the necessary proofs to the Indian agent, and if it cannot be obtained from the tribe, reparation will be made by the United States, and the necessary sum deducted from the annual stipend paid them by government. An indemnification is also guaranteed to the Indians for any trespass committed by inhabitants of the United States, provided no attempt is made to obtain private revenge.

In order to promote civilization among the friendly Indian tribes, and to secure the continuance of their friendship, the president is authorized to furnish them, as presents, with useful domestic animals, implements of husbandry, &c. from time to time, and to appoint persons to reside among them to teach them useful arts. He is also authorized to defray the reasonable expenses of such Indians as may visit the seat of government, and furnish them with presents; and when they visit the military posts on the frontiers they are supplied with rations, if they can be spared from the army provisions without injury to the service.

OBSERVATIONS

MADE DURING

A SHORT RESIDENCE IN VIRGINIA.

In a Letter from the Editor to his Friend in Philadelphia.

My dear Friend, *Richmond, May* 30, 1814.

IN conformity to my promise at parting, I sit down to communicate to you a few of my observations on Virginia. Regarding some of the objects, however, to which you directed my attention, I must decline offering any opinion. Vain and futile will always be the attempt to form correct ideas of the character and manners of a people by a mere residence of a few months among them. Modern travellers, I confess, particularly travellers in America, seem, if we may judge from their practice, to think themselves qualified to delineate the character of a whole people by the slightest and most superficial glance, and to catch their manners while driving through the country with the rapidity of a mail coach; but unfortunately (though perhaps fortunately enough for you), your friend is not possessed of this kind of intuitive genius.

There are, however, a few traits in the character of the Virginians, which are so prominent as to strike even the most superficial observer. These cannot be better expressed than in the language of their countryman, the celebrated author of the British Spy and Old Bachelor: "A hospitality, the genuine offspring of the heart; unbounded generosity; a courage superior to all difficulties; and an instinctive abhorrence of every little, mean artifice, the miserable expedients of vulgar minds." Their vices are such as arise from the same temperament of mind which produces their virtues. The most striking to a stranger is a spirit of gambling, which stalks openly abroad, and displays itself in a variety of forms, such as horse-racing, cock-fighting, &c. These amusements, if they can be so termed, are not even prohibited by the laws.

The purity in which the English language is spoken throughout the United States has often been remarked by strangers. There is a slight peculiarity of pronunciation observable in Virginia, however, which is not confined to the vulgar, but is to be observed among the best educated, and is even to be heard at the bar. This peculiarity is principally observable in the words *where*, *there*, *stair*, and in similar sounds, where the vowel is pronounced by the Virginians like the å in the word *far*, instead of the à in the word *fate*. There are a few words, also, which are used in Virginia in a different acceptation from their proper one, but this is by no means so universal as the peculiar pronunciation already mentioned. I shall cite a few instances which particularly struck me.—Visiting a gentleman in the country one morning, he gave me a pressing invitation to spend the day with him, and on my assenting, called to his servants: "Here, Jack, take the gentleman's horse out of the gig, and *carry* him to *the branch**; and, Bill, do you *tote* the cushions into the hall." On another occasion, being on horseback, directions were given to *hang* my horse to the fence, while I should stop and refresh myself. The *magnolia*, which grows in great luxuriance in the swamps in Virginia, casting a most delicious perfume through the woods, is commonly called the *laurel*, and what we call the *laurel* is by the Virginians denominated the *ivy*. A *lane*, in Virginia, means a road, whatever may be its breadth, which has a fence on both sides. The day after my arrival here, I was much surprized by enquiries if the road was not very bad in such and such lanes, not having observed that I passed through a lane during the whole journey. The meaning attached to this word is a striking exemplification of the uncultivated state of the country. In the eastern parts of Pennsylvania, nearly all our roads are *lanes*. *The long season* is an expression indicative of a peculiar product of the state. Whenever we had a louring sky during the month of May, every person was predicting the approach of *the long season*, which, on enquiry, I found meant a series of rainy days which generally happens in that month, which is taken advantage of by the country people for planting their tobacco, which cannot be done but in wet weather.

In early times tobacco was the grand staple of Virginia, but its culture has for many years been on the decline, and that of wheat is fast taking its place. Tobacco is not allowed to be exported until it has been inspected at one of the public ware-

* By a *branch* is meant what is commonly, though improperly, called a *creek* in Pennsylvania.

houses, which are established by law, and are numerous throughout the state. The mode of dealing in that article is as follows: After the tobacco is properly cured and packed in hogsheads, the planters take it to a public warehouse, where, as soon as it is inspected, it is stowed away, and a *note*, or transferable receipt, given to the owner by the inspector. Tobacco of inferior quality is generally sold merely by a transfer of this note, without the purchaser having seen the tobacco. This is called "selling on the face of the note." But when the quality is good, the seller requests the dealers in the article to attend the inspection, that they may be able to judge of its value. When tobacco is refused by the inspector, the proprietor may either separate the good from the bad himself, or by his servants, or suffer it to be done by the public *pickers*, who are allowed twenty-one cents per hogshead for opening, and one twelfth of the tobacco saved for their trouble in picking.

Payments are often made in tobacco in this state, so that tobacco notes may be regarded as a species of money, or circulating medium. They are by law current "in all tobacco payments" in the county where the tobacco is inspected, and the counties next adjoining, except in counties separated by great rivers, or by the Chesapeake bay.

It would appear that fines are sometimes imposed as well as payments made in tobacco. By the act incorporating the town of Petersburg, passed in May session, 1784, the court of hustings of that town was restricted from hearing or determining any penal case, unless for a breach of the corporation laws, "the penalty whereof exceeded forty shillings, or *two hundred pounds of crop tobacco;* or any action beyond the value of ten pounds, or *a thousand pounds of crop tobacco.*"

Tobacco cannot be taken out of a public warehouse by any person but a licensed stemmer or manufacturer, except for the purpose of exportation from the state.

My knowledge of the country parts of Virginia is confined to the great mail route between Alexandria and Petersburg, with a few excursions around the principal towns. Were I to judge of the country by this specimen, I should form but a mean opinion either of its beauty or fertility, the land being principally flat, and the road passing for a great part of the way through dreary forests of pine. The population, too, is extremely thin and scattered. But few farm-houses can be seen from the road, and those few are generally at a great distance from it.—The taverns are miserable, and generally 10 or 12 miles apart; and no human dwellings between them, save here and there a solitary log hut.—But this, I am told, is an unfair specimen of Virginia: the lands

further to the west are said to be much superior, particularly the extensive valley beyond the Blue Ridge, which is described as a delightful country, highly cultivated.

All the country-houses in Virginia have the chimneys built outside of the dwelling, which gives them a very singular appearance in the eyes of travellers from the north. Another peculiarity is, that the kitchen is uniformly in a separate building; in some instances a considerable distance from the house. This must certainly be extremely inconvenient, particularly in wet weather, and could have arisen, I should suppose, from no less powerful a motive than fear.

Very few horses are employed in agriculture in Virginia, and those few are miserably poor. The principal dependence here is upon mules, which being a very hardy animal, is not apt to be injured by the carelessness so natural to slaves. It is somewhat singular that the animals used for agricultural purposes regularly increase in size as you approach the north. The mule of the southern states is superseded by the horse in the middle states, whose place is universally supplied by oxen in New England.

The whole system of Virginia agriculture, with perhaps a few exceptions, is fundamentally and radically wrong. The farms or plantations, as they are called, are generally very extensive, and the quantity of land under cultivation far beyond the means of the cultivator. The land consequently in a few years becomes literally good for nothing, and more woodland must be cleared for future operations. Undoubtedly slavery has had a considerable effect in producing this state of affairs; but, nevertheless, I have no doubt but beneficial effects might be produced by some of the intelligent planters travelling in Europe, or even in some of the middle or northern states, with the patriotic view of introducing a change in the agricultural system in their respective neighbourhoods. A few Arthur Youngs might produce a wonderful change on the face of the country.

Most of the plantations in Virginia are dignified with names, as Mount Vernon, Monticello, Montpellier, Fairmount, &c. &c. This is an English fashion, which has not been adopted, or in a very slight degree, in the middle or northern states, where perhaps it is less necessary, on account of the subdivision of the counties into townships, or towns as they are called in New England.

The appearance of the towns is much superior to that of the country, and the land in their immediate neighbourhood is of course more thickly settled and in a higher state of cultivation. Fredericksburg is beautifully situated in a fertile valley, on the south-west side of the Rappahannock, and the situation of Rich-

mond is perhaps one of the most beautiful in the United States. In Petersburg, though that part of the town where business is transacted, is irregular, low, and dirty, yet, as you leave the river, the ground gently rises to a considerable distance, and this part of the town is extremely agreeable, and abounds with charming prospects.—The gardens which are attached to all the houses in the Virginia towns, excepting in those parts which are closely built, add very much to their beauty, being in general remarkably well kept.

Fredericksburg is situated just below the falls of the Rappahannock, and consists principally of one main street, which is filled with stores, taverns, &c. Until within a few years this town was almost entirely built of wood. A great fire, which took place about that time, was the means of introducing a new system. That part of the town which was destroyed by the fire is now rebuilt with substantial brick stores, with tiled roofs. The Rappahannock is navigable to the town in small vessels, and, before the obstructions to commerce, it enjoyed a considerable trade. Buildings and lots in the main street are very high. Good land in the vicinity of the town sells for from 20 to 40 dollars per acre.

Richmond is situated on the north side of James River, just at the point where the tide water is stopped by the romantic falls of that river. This town likewise consists principally of one main street, of considerable length, which runs parallel with the river, and lies between and upon two hills, which approach close to the water's edge. It is built almost entirely of brick, and is well paved.

The beautiful situation of Richmond has already been noticed. The city and neighbourhood abound with the most elegant and variegated prospects, of which the falls and the navigable stream below form the most striking objects, both of which are embellished with beautiful islands. The flat country on the south side of the river, in which stands the village of Manchester, which is connected with Richmond by a long wooden bridge, is strikingly opposed to the bold shores of the north. Just below the city, the river makes a bend nearly at right angles with its former course, affording a very extensive prospect of that beautiful object.

Richmond contains a number of handsome buildings, which generally stand in situations where they can be seen to great advantage. Among these may be enumerated the Capitol, the State Armoury, the Penitentiary, and the Monumental Church, which latter is erecting on the site of the theatre, the destruction

of which by fire, on Christmas night, 1811, was accompanied with such memorable and fatal effects*.

The State Armoury is a noble building. One hundred and nineteen persons are at present employed in the works. Last year they made 3185 muskets and bayonets, 689 pistols, 976 cavalry swords, and 299 artillery do. besides an immense quantity of castings both for civil and military purposes, and repairing near 8000 muskets, &c. &c. Should nothing operate to check the works, still more will be done this year, as they are now manufacturing at the rate of 400 stand of arms per month, and other articles in proportion.—The machinery is driven by water from the James River canal, which passes in front of the armoury. The usual appropriation for the expences of the armoury is $65,000 per annum, exclusive of the amount received for private castings, which amounted in 1813 to about $8000.

The Penitentiary stands on a high airy situation on the opposite side of the canal, a short distance above the city. The penitentiary system was adopted in Virginia by an act passed at the December session, 1796, but it did not go into operation till the 25th of March, 1800, when the governor, by proclamation, and in pursuance of the act, (which was suspended till the buildings could be completed) declared the law to be in force. From that period no crime is punishable with death in that state, except murder in the first degree, high treason, house burning in a town, or arson. It must afford real pleasure to the friends of humanity throughout the world to be informed, that no institution was ever in a more prosperous state than the penitentiary of Virginia is at present.

The internal charges of the penitentiary for the year 1813, including officers' salaries, amounted to rather more than eighteen thousand dollars; the disbursements for criminal charges and guards in the country, and for removing criminals to the penitentiary, amounted to nearly twenty-seven thousand. During the same year the agents of the penitentiary paid into the treasury nearly twenty thousand dollars.

The regulations in Richmond in cases of fire are very excellent, but they are not so expertly executed as in larger towns, where such accidents more frequently occur.

The city is divided into three wards, for each of which three fire-wardens are annually elected by the common-hall. These wardens are empowered to form, and publish at the expence of the city, regulations for the erection of chimneys, and prescribing the mode and conditions under which they shall be

* The remains of the unfortunate sufferers on that occasion are deposited under the aisle leading to the altar, near the south entrance.

burnt or swept; for the fixture of stoves and stove-pipes; for the necessary cleansing of the shops or work-houses of carpenters, joiners, cabinet-makers, plasterers, stationers, and printers, of such materials as may be thought dangerous to produce fire; for fixing the proper distances and circumstances under which brick or lime kilns may be burnt within the city; for ordering the necessary number of scuttle doors and ladders upon the roofs of any house covered with wood; preventing the burning of any articles so near houses as to endanger them; and prohibiting the practice of dangerous trades in the city.

When a fire breaks out, it is the duty of all the watchmen to repair thither, and place themselves under the direction of the fire-wardens, who are authorized to direct the management of all the fire engines, and all other implements used for carrying water, or pulling down or blowing up houses; to order every person present, whether white or black, citizen or stranger, to perform such labour as they may think necessary to be performed; and to order the pulling down or blowing up of any house, the destruction of which they may deem necessary to arrest the further progress of the fire; for which an indemnification is made to the owner, for the property, under the circumstances of risk and danger to which they were exposed, at the time of their destruction.

The fire-wardens wear at fires a metallic plate on their hats, on which is painted, in large and conspicuous characters, the words "fire-warden." For disobedience or interference with their orders at fires, they may order the offender to be arrested, and conveyed to the guard-house or cage* till the alarm of fire cease, when he is taken before a magistrate and fined 40*s.* and must give security for his good behaviour. Should this arrest fail to call out the exertions of the bystanders, the fire-wardens have power to *direct the engines to play with full force on such as may still refuse obedience, or cause interference with their orders.*

The seat of government was removed from Williamsburg to

* The cage is a small room on the ground floor of jails for the confinement of unruly persons. It is generally in a public part of the town, and the gate being formed of iron bars, the culprit is of course exposed to the view of the passengers. This is one of the last relics of the barbarous criminal code bequeathed us by our ancestors. Virginia having followed the example of her sister Pennsylvania in the establishment of a penitentiary, it is sincerely to be hoped that she will soon put a finishing hand to the benevolent work by shutting up her cages, and making bonfires of her pillories and whipping posts. The superiority of the mild code of Pennsylvania, in preventing crimes, and effecting the reformation of the criminal, is sufficiently apparent. It is now an almost universally received maxim, that pillories and whipping posts tend only to harden and deprave, and never to reform.

Richmond in 1780; the town was incorporated and formed into a city two years afterwards.

The city is governed by a mayor, recorder, aldermen, and common council, who are annually elected by the freeholders and residents in the town owning property of any kind in the town to the value of £100. They meet in one body in common hall for the transaction of their legislative concerns. The mayor, recorder, and aldermen, or any four of them, form the court of hustings, which has powers co-extensive with those of the county courts; separately they act as justices of the peace. No keeper of an ordinary is capable of serving either as mayor, recorder, alderman, or common council man in Richmond.

Petersburg is governed in a manner somewhat similar to Richmond, as was Fredericksburg till 1807, when an alteration was made in its charter, by which the legislative and judicial powers were separated, and entrusted to different bodies. Twelve persons are now annually elected as common-councilmen, who choose one of their body to be mayor and another to be recorder. These officers have no judicial powers. The mayor merely presides at the meetings of the common-hall, and signs its proceedings; the recorder acts in place of the mayor, in his absence. The court of hustings consists of eight justices of the peace, at least three of whom are necessary to form a court. In 1807, these eight justices were elected by the people to serve during good behaviour. Vacancies are filled from nominations made by the court; the power of appointment being vested in the governor with advice of council. The county courts of Virginia are similarly constituted with the court of hustings in Fredericksburg.

The banking mania, which commenced in New England some years ago, and which seems to be rapidly spreading through the United States, has not yet reached Virginia. There are only two banks in the state, the Bank of Virginia, and the Farmers' Bank of Virginia.

The Bank of Virginia was incorporated on the 30th of January, 1804, for fourteen years, from the 1st of May following, with a capital of a million and a half of dollars, divided into shares of $100 each. The mother bank was established at Richmond, with branches at Norfolk, Petersburg, and Fredericksburg. The conditions on which the charter was granted, were, that the state was to be allowed to subscribe for stock to the amount of $300,000, which sum the bank was to lend to the state at 4 per cent per annum, the principal to be repaid by ten equal annual instalments. At elections for directors, the state treasurer was to have votes equal to the greatest number given

on any 3000 shares, and was moreover to be a director *ex officio*. The public money was to be deposited in the bank, and their notes to be receivable in payments to the state.

An extension of the charter for fifteen years from the first of May, 1818, was granted by the legislature in the winter session of 1813–14, on terms still more favourable to the state. These terms were, that the capital stock was to be augmented a million of dollars immediately, and two hundred and forty thousand dollars on the expiration of the old charter, in the following manner:

Of the ten thousand shares to be added immediately to the capital, the state was to have the privilege of selling eight thousand, which were to be subject to the payment of twenty-five dollars on each share, payable by reservations of $ 1 25 out of the first twenty semi-annual dividends, which reservations were to pay for the remaining two thousand shares, which were to become the property of the state.

The two thousand four hundred shares which were to be added to the capital stock after the expiration of the old charter, were also to be the property of the state, and were to be paid for by the old stockholders as their part of the bonus for the extension of the charter. They were to be paid by semi-annual reservations of $ 1 25 on each share, out of the sixteen first dividends after the expiration of the old charter.

The eight thousand shares were shortly after put up at public sale in the city of Richmond, and the sale continued till the advance above par, on that portion which was sold, was equal in value to the stock unsold estimated at par, which was then subscribed for on behalf of the commonwealth. By this sale a considerable sum was gained by the state.

The bank, in addition to these bonus's, engaged to loan to the state at any time to the amount of $ 350,000, at an interest of 7 per cent., payable quarterly, reimbursable at the pleasure of the state at any time previous to January 1, 1829.

In addition to the extension of the charter, the bank was to be allowed to establish a branch at Lynchburg, and another at any other place they might select on the east side of the Allegany mountain; and notes negotiable at the bank were placed on the same footing as foreign bills of exchange, except as to damages, which are not recoverable*. After the expiration of the old charter, the bank was to be entitled to the deposit of one moiety only of the surplus money in the treasury.

The Farmers' Bank of Virginia was incorporated in Febru-

* Bills of exchange, being protested, carry 10 per cent. interest from their date.—*Jefferson's Notes, p.* 195.

ary, 1812, for fifteen years from the first of June following, with a capital of two millions, divided into twenty thousand shares of $100 each, 3334 of which are retained for the use of the state, to be paid for by charging each share disposed of to subscribers with an equal proportion of the value of the shares retained by the state, that is, with an equal proportion of $ 333,400 to be paid into the bank in sixteen semi-annual instalments after the commencement of its operations. These instalments were to be retained from the half-yearly dividends should they prove sufficient; if not, public notice was to be given of the deficiency due on each share, which must be paid in one month after such publication, on penalty of forfeiture of the shares to the bank.

The mother bank in this institution also was established at Richmond, with branches at Norfolk, Lynchburg, Winchester, Petersburg, Fredericksburg, and Staunton. Its affairs are conducted by 15 directors at Richmond, and 13 at each branch, of whom 9 for the mother bank, and 8 for each branch, are elected by the legislature, and the remainder by the stockholders.

Notes of the bank are receivable in all payments to the state; but none can be issued under five dollars. A statement of the affairs of the bank is laid annually before the legislature.

Both of the Virginia banks are authorized by their charters to emit notes and contract debts to the amount of three times their capital. No promissory notes can be negociated at either of them unless it be so expressed on the face of the note.

The condition of the slaves has of late years been very much ameliorated in Virginia, perhaps as much so is possible with such a large black population

For the slave system, Virginia is rather to be pitied than blamed; it was imposed upon her during her colonial state, and continued, much against her inclination, until the revolution, as might be proved by numerous documents, among which may be mentioned the petition of the house of burgesses to the throne in 1772, beseeching the king "to remove all those *restraints on your masjesty's governors* of this colony, *which inhibit their assenting to such laws as might check so very pernicious a commerce*," and the first clause of the bill of rights where, among other acts of misrule, "the inhuman use of the royal negative," in refusing permission to exclude slaves by law, is enumerated, among the reasons for *separating* from Great Britain*. The legislature availed themselves of the

* The Virginia bill of rights and several others have been injudiciously omitted in all the editions of the American constitutions that I have seen. They serve to throw light on the history of the important period of the revolution, and therefore ought to be preserved.

earliest opportunity to crush this infamous commerce. In October, 1778, an act was passed imposing very heavy penalties on their importation and sale, and in 1785, another act was passed,—declaring that no person should henceforth be considered slaves in the commonwealth, except such as were so on the 17th of October of that year, and the descendants of the females of them. Slaves taken into the state, and continuing therein a year, or so long at different times as amounted to a year, were by that act declared free, but this provision has since been changed to forfeiture to the overseers of the poor. Exceptions, however, were drawn in favour of emigrants from any of the United States, who, within 60 days after their removal into Virginia, should make oath before a justice of the peace, that his removal was not with intent of evading the law prohibiting the importation of slaves; that he did not bring them with the intention of selling them, and that they had neither been imported from Africa nor the West Indies. Exceptions were likewise drawn in favour of *citizens* claiming slaves by descent, marriage, or devise, and of citizens who at the passage of the law were actual owners of slaves in another state, and wished to remove them thither; and of travellers and others who made only a transient stay, and who brought slaves for necessary attendance, and took them out of the state again.

The regulations for the government of slaves, and for preventing their escape, are very strict. All free negroes or mulattoes* are registered and numbered, a certified copy of which register they are obliged to procure (annually in towns, and triennially in the country) and keep by them, and a penalty is imposed on persons employing them without seeing it. The commissioners of the revenue are bound annually to return a complete list of the free negroes and mulattoes, with their names, sex, and places of abode, a copy of which must be fixed by the clerk at the court-house door for public information. To prevent as much as possible the increase of free blacks, though slaves are allowed to be emancipated if sound in body and mind, and not above 45 years old, nor under age, yet such emancipated slave is obliged to leave the state within a year after his right to freedom accrues, on pain of being apprehended and sold for the benefit of the overseers of the poor.

In the country, no slave can go from the tenements of his owner without a pass, by which it may appear that he is going on his master's business, under pain of being carried before a justice, and by his order receiving correction if judged necessary.

* Persons other than negroes, having a fourth or more of negro blood, are deemed mulattoes in law.

In towns, they are prohibited from being abroad after a certain hour, generally nine o'clock, without a pass.

Keepers of gigs and carriages to hire in Richmond are obliged to enter into bond not to hire them to blacks, excepting to servants for the use of their masters.

Slaves are not tried by jury. The justices of every county and corporation are justices of *oyer and terminer* for their trial, five of whom are necessary to constitute a court. No slave can be condemned unless all the sitting justices agree that the prisoner is guilty, and he is allowed counsel in his defence, to whom the owner must pay a fee of $ 5. The value of slaves who are executed is paid to the owner by the state, but such executions are now very rare, the most general punishment for serious crimes, except murder, being transportation to another state, where they are sold, and in this case also the owner is compensated. This article forms an item in the receipts and expenditures of the state: in the estimate for the expenses of government and the ways and means for 1814, the payments under this head were calculated at $ 12,000, and the receipts at $ 5000, making a balance of 7000 payable by the state to the owners of slaves for their legal punishment.

Negroes or mulattoes cannot be admitted as evidence against a white, either in a civil or criminal action; neither can they lift their hand against a white, under the penalty of being whipped on their naked backs, unless in case of their being wantonly assaulted, and lifting their hand in their defence. No free black can keep or carry a firelock or military weapon of any kind, or powder or lead, without a license from a court, on pain of forfeiture of the article for the first offence, and whipping for the second. Neither can they purchase the time of a white servant. Should they "*presume*" to do so, says the law, such servant shall immediately become free.

On the examination of a black, "*not being a christian*," before a court of justice, instead of an oath being administered to him, he is charged by the presiding judge in the following words:

"You are brought hither as a witness, and by the direction of the law I am to tell you, before you give your evidence, that you must tell the truth, the whole truth, and nothing but the truth; and that if it be found hereafter that you tell a lie, and give false testimony in this matter, you must for so doing have both your ears nailed to the pillory and cut off, and receive thirty-nine lashes on your bare back, well laid on, at the common whipping post."

This punishment is administered by nailing one ear to the

pillory, where the culprit stands for an hour, when that ear is cut off, and the other nailed, which is in like manner cut off at the expiration of another hour, and after this he receives 39 lashes.

In 1810 the total number of slaves in Virginia was	392,518
Free blacks and mulattoes	30,570
Total of white persons	551,534
	974,622
In 1800 the number of slaves was	322,199
Free blacks and mulattoes	18,194
White persons	336,289
	676,682

From these statements, which I have taken from the respective censuses, it appears, that in 1800 the blacks outnumbered the whites by 4104, but that since that period the whites have increased in a much more rapid ratio than the blacks, and now outnumber them by 128,446 persons.

In the Review of the Political Institutions of the United States, in the first volume of the Historical Register, p. 10, it is remarked, that affirmations are recognized by the constitutions of all the states except those of Virginia and North Carolina. In Virginia, provision was early made by law on this subject. In the May session of 1779, it was enacted, that any person who, from religious scruples, refused to take an oath, might be qualified, according to the solemnity used by the church of which he professed to be a member. An act passed in 1806 goes still further; it permits a person to use the solemnity and ceremony, and repeat the formulary, which, *in his own opinion*, ought to be observed.

The taxes in Virginia are numerous, and on some articles very heavy. The *state* taxes for 1814 are:

A tax on lands of 85 cents on every $ 100 value.

On slaves above the age of 12 years, except such as are exempted by the courts in consequence of age or infirmity, 79 cents a head.

On stallions and jack-asses, four times the price at which they cover a mare by the season.

On other horses, asses, and mules, 21 cents each.

On tavern licenses $ 8 88 on every $ 100 rent of their tavern. The license, however, is not to cost less than $ 22 33.

On riding carriages from 67 cents up to $ 5 33, together with a half of one per cent on the value of the carriage.

On houses and lots in towns $ 2 77 on every hundred dollars rent or value of rent. Property belonging to the commonwealth, or to seminaries of learning, or houses for divine worship, are, however, exempt from this tax, and also from the land tax.

On attorneys at law, according to the courts in which they practise, a tax of from $ 7 to $ 30.

On clerks of courts one and a third per cent. on the amount of fees, &c. provided it exceed $ 1000.

Taxes on law process, appeals, certificates under seals of courts, transfers of surveyors' certificates, attestations by notaries, and certificates under seal of the commonwealth.

On mills, the rent of which exceeds $ 100, two and three quarters per cent. When under $ 100, $ 1 33 on each mill.

On coal-pits actually worked, two and three quarters per cent. and on toll bridges and ferries, tan-yards, and forges and furnaces, one and a third per cent. on their yearly rent or its value, where it exceeds $ 100.

On *newspaper printing-presses*, the amount of five annual subscriptions to each paper.

On the following licenses, viz: To sell foreign merchandize: by wholesale and retail $ 80; by retail only $ 30. To hawkers or pedlars: of dry goods $ 60, of tin or pewter $ 27. To exhibiters of shows, $ 5 in every county, city, corporation, or borough where the same shall be exhibited. To venders of foreign lottery tickets $ 67. For manufactories or stemmeries of tobacco, established in or within five miles of any corporation, city, or borough $ 40. To apothecaries and druggists: to sell by wholesale and retail $ 80; by retail only $ 20. To physicians and surgeons, $ 12 50. And to auctioneers and vendue-masters in corporations, cities, or boroughs $ 25.

On sales at auction in corporations, cities, or boroughs, viz.: on sales of real property, two-ninths of one per cent.; on sales of groceries, one-third of one per cent.; on all other sales one half of one per cent.

On male free negroes and mulattoes, above 16, except such as are bound apprentices, a poll tax of $ 1 50.

Lastly, a stamp-tax on notes or bills, payable or negotiable, or which may be paid or negotiated at bank, at the following rates:

Above $ 20 and not exceeding $ 100		4 cents
100	200	6
200	500	12
500	1000	25
1000	1500	37
1500	2000	50
2000	3000	75
3000	4000	100
4000	5000	125
5000	7000	175
7000	8000	200

And for every $ 20,000 above $ 8000, twenty-five cents additional*.

When notes drawn in any of the other states are collected in either of the Virginia banks the cashier is bound to retain out of the sum paid so much as will amount to the stamp duty, and to settle annually with the treasury for the same, deducting a commission of six per cent. for his trouble.

The following is a list of the *corporation* taxes of the city of Richmond, for 1813, which were paid by the inhabitants in addition to the above, and to which are this year superadded the internal taxes imposed by congress:

On all lands, tenements, and improvements, 30 cents for every $ 100 value: on taverns 33 cents.

A poll tax of $ 1 on every male above the age of 16, bound or free.

On two-wheel private riding carriages $ 3 per wheel on four-wheel do $ 3 50 per wheel.

On gigs, coaches, &c. kept for hire, $ 5 per wheel.

On drays, carts, and waggons kept for hire $ 10 per wheel. These are all licensed, and their owners must enter into bonds for the faithful delivery of the goods with which they are intrusted.

Fifty cents on every horse, mare, colt, or mule.

* An anecdote is related of a Virginia merchant, in relation to the stamp tax, which strikingly exemplifies the false notions entertained respecting the causes of the American revolution. The gentleman alluded to had served in the revolutionary army. On the imposition of the Virginia tax he grumbled a little, but when the United States stamp was also added, he could no longer avoid giving vent to his feelings. "By G–d," exclaimed he, "I fought seven years to do away one stamp, and here we have got two! Fine independence, truly!" "You forget," replied his friend, "that these taxes are imposed by ourselves, for the support of our own government. The one we resisted was attempted to be imposed on us by the British parliament, a body in which we were not represented, and over which we had no controul." "And what difference does that make to me?" he rejoined; "it comes out of my pocket in the one case as well as the other, doesn't it? You are fine republicans indeed!"

A dog-tax of $ 2.—Dogs cannot be kept by slaves.

A tax on merchants, who are arranged into classes by the equalizers of the land-tax: on wholesale merchants, class 1, $ 15; class 2, $ 10. On retailers, class 1, $ 15, class 2, $ 10, class 3, $ 6.

A tax on housekeepers, according to the value of the tenement they occupy, from 75 cents to $ 6.

The following is a view of the receipts and disbursements of the government of Virginia for 1813:

Balance in the treasury, per settlement made on the 1st day of January, 1813,	160,999	8
Received from that period, viz:		
On account of the revenue taxes of 1813,	372,340	83
of the arrears of taxes,	23,180	84
From clerks and notaries,	29,490	77
On sundry accounts,	25,451	24
From inspectors of tobacco,	2,900	9
On account of militia fines,	2,851	60
From the Bank of Virginia,	383,000	
the Farmer's Bank of Virginia,	11,115	50
the register of the land office,	2,558	45
the agents of the penitentiary,	19,991	90
On account of the redemption of land,	5,440	26
of unappropriated land,	1,258	45
	$ 1,040,579	1
Amount of disbursements,	829,445	8
Balance in the Treasury on the 31st day of December, 1813,	$ 211,133	93

The disbursements were as follows:

Expenses of the general assembly,	71,675	48
Officers of government,	72,168	10
Officers of militia,	6,069	39
Militia fine fund,	3,463	51
Criminal charges and guards in the country,	22,403	49
Removing criminals to the penitentiary,	4,334	28
Internal charges of the penitentiary, including officers' salaries,	18,405	76
Slaves executed or transported,	10,130	33
Lunatic Hospital,	3,172	40
Public guard in the city of Richmond	8,224	70
Ninth instalment of the Bank of Virginia, and interest on the same,	32,400	
Interest on the public debt,	5,391	8
Carried over	257,838	52

Brought over	257,838	52
Pensioners,	5,821	2
Commissioners of the revenue,	19,484	48
Manufactory of arms,	59,852	53
Munitions of war,	18,525	73
Rifles made under contract with the executive,	4,345	
Clerks' and sheriffs' fees,	590	41
Public services of circuit court clerks,	2,612	
Gun carriages and expense of repairing arms,	8,271	38
Representation to congress and state senate,	370	5
Distribution of arms,	955	24
Public warehouses,	4,818	27
Contingent expenses of government,	61,063	54
Special acts of assembly,	37,449	63
Warrants not provided for,	1,722	74
Literary fund,	10,042	37
Election of president and vice-president,	36	
Defence of the state,	331,880	18
Certificates discounted,	3,765	99
	$ 829,445	8

A measure was adopted by the legislature, at the last session, in which it is hoped, for the benefit of humanity, the example of Virginia will be followed by every state in the union. It will be recollected, that, at the winter session of 1812–13*, the president was authorized to appoint an agent to preserve the genuine vaccine matter, and to furnish it when applied for through the medium of the post-office, free of postage. That the citizens of Virginia might be enabled to avail themselves of the advantages of this measure, the legislature authorized the executive to contract with the United States' agent, or with any other fit person, to furnish the citizens of the commonwealth, who should apply for it, with the genuine vaccine matter, and directions how to use it, through the medium of the post-office, or in any other manner, *free of all expense.* The sum of $ 600 per annum was appropriated for this purpose.

There is another measure which has been frequently adopted by Virginia, that might be copied with advantage by her sister states. The length of time which has elapsed from the meeting of the first legislative body in Virginia, in 1619, together with the great changes of habits and manners which have taken place since that period, would have rendered the laws extremely nu-

* See Historical Register, vol. 1. p. 86.

merous and complicated, had they not been frequently revised and simplified under the authority of government. Some of these revisals were made before the introduction of printing-presses into the country, and have remained till this day in MS. In several of the printed editions, all the acts relating to the same subject were consolidated into single bills by a committee of revisors, and re-enacted by the legislature. Of this nature is the "Revised Code" of 1803, which contains all the laws then in force in an exceeding small compass.

Notwithstanding these frequent revisals, however, the code of Virginia contains several laws which remain a dead letter on the statute book. The mischiefs resulting from the non-execution of particular laws, by the habitual disregard of all law which it instils, ought to operate as a serious caution to legislators. "The science of government," says an able jurist, "may be reduced to the necessity of studying with deep attention, and recognizing the laws which God has so manifestly engraven on the very organization of man when he endued him with existence. To exceed this boundary cannot but be a great misfortune, and an enterprise of sure destruction."

It is much to be lamented, that among the non-executed laws is to be numbered one which was passed in 1796 for the establishment of public schools. The non-execution of this law, however, does not arise so much from its opposition to public opinion, as from a material defect in its provisions.

This act provides, that three aldermen be annually elected at the same time that members of assembly are elected, by the electors qualified to vote for delegates, whose election shall be certified to the county court, and entered on record. That the aldermen, or any two of them, shall meet annually at their court-house on the 2d Monday in May, and consider of the expediency of carrying the subsequent parts of the act into execution. If they judge it expedient, they are to divide their county into convenient sections, distinguishing each section by a particular name, and returning their division to the county court, there to be recorded. That the householders in each section, on the first Monday in September thereafter, shall meet at such place as the aldermen may direct, and choose the most convenient place within the section for building a school-house; which shall be built and kept in repair by the aldermen, and a teacher appointed by them, who shall teach reading, writing, and common arithmetic; and *all* the *free* children within the section shall receive tuition gratis for three years, and as much longer at their private expense as their friends may think proper. That the salary of the teachers, and other expences of the schools,

shall be defrayed by the inhabitants in each county, in proportion to the amount of their public assessment and county levies, to be ascertained by the aldermen of each county. The corporate towns are empowered to act distinctly from the counties in which they are situate. The act provides, however, that the court of each county shall determine the year in which the first election of aldermen shall be made, and until they so determine, no such election shall be made. And this subject the courts are to take into consideration in the month of March, annually, until each election be made.

It is easy to perceive, that this last proviso, and that which authorizes the aldermen, when elected, to consider of the expediency of carrying the act into execution, are calculated to defeat it in every county where illiberal and parsimonious magistrates may compose the court, or illiberal and parsimonious persons be chosen as aldermen. They prove also the existence of an opposition to the act in the legislature itself, founded upon the most illiberal and parsimonious principles without any regard to the public good. For it must be evident, that the act will only be carried into execution in those counties where liberality of sentiment and a just estimation of the value of education prevail, and not in those where they are most wanted*.

This act, so far as it extends, is nearly a transcript from a bill establishing a more comprehensive system of education, which was prepared by the committee of revisors appointed in 1776, and reported to the general assembly in 1779, but, with many others, was not acted upon by the legislature.

Among other inoperative laws in Virginia, is a singular one, which imposes a penalty on electors, for failing to attend the election and vote for members of assembly. This law makes it the duty of the officer taking the poll to deliver a copy of it to the clerk of the county or corporation court, to be kept in his office for the inspection or copying of any candidate or elector. In order that the penalty may be enforced, a copy of the poll, and a list of the landholders in each county, is directed to be laid before the first grand jury meeting after each election.

Voting at elections in Virginia is conducted by *viva voce*; and it is common for the candidates to attend the poll, and publickly thank the electors for their votes.—There are no public nominations; the candidates for office make known their pretensions through the newspapers, and canvass through the district previous to the election.

* Tucker's Blackstone.

There are several canals in Virginia around the falls of the great rivers, by which a considerable facility is given to inland navigation. At Norfolk there is a very important one which, passing through the Great Dismal Swamp, connects the navigation of Elizabeth river with Albemarle Sound.

Virginia has suffered a great deal by the present war. Her trade, which is all carried on through the Chesapeake Bay, has been completely stopt by the British squadrons, and the inhabitants residing near the navigable waters have been much annoyed by their threatened attacks, and their property injured by their depredations. The attack on Craney island and the subsequent outrages at Hampton are well known. During the greater part of last summer, Richmond and Petersburg were in daily expectation of an attack, and their militia were for some time on duty *en masse*, by which means business of every kind was completely at a stand*. At this time, most of the young men of Petersburg were absent, a company of volunteers of upwards of 100 men, under the command of captain M'Rae, having a short time previous marched for the defence of the north-west frontier, besides one or two companies of volunteers, that had marched for the defence of Norfolk. The Petersburg volunteers were highly spoken of for their discipline, bravery, and general good conduct. Several of M'Rae's company acted as volunteers on board commodore Perry's squadron, and took an active part in the engagement on the memorable 10th of September, 1813.

The deplorable state of Virginia as to religious instruction has long been a trite subject for declamation. Dr. Morse, in the last edition of his geography, remarks, that the law "which provides that no man should be compelled to support any religious worship, place, or minister, and the sequestration which had previously been made of all the glebe lands in the state belonging to the protestant episcopal church for public use; these two measures have done more to root christianity out of Virginia, than the efforts of a century probably can do to restore it. There are but few places for public worship of any denomination in the lower parts of Virginia, and these are small, and have but few attendants. The religious and

* The annual return of the militia of Virginia, for the year 1813, states the total strength to be 75,801, viz.

Infantry, 121 regiments	68,330
Cavalry	5,217
Artillery	2,254
Total strength	75,801

moral state of the great body of the inhabitants must of course be deplorable."

Now, with all due deference to the high standing of the reverend doctor, I feel strongly inclined to adopt an opinion directly the reverse of what is here laid down, and to believe that experience, which has been called the touch-stone of truth, will bear me out in asserting, that the two acts alluded to have done more towards arousing the dormant spirit of christianity, than towards rooting it out, and that the episcopal religion is at present more cherished and cultivated in Virginia than it has been at any time during the last fifty years.

The appropriation of the glebe lands and churches, which had been purchased at the expence of the people generally, exclusively to the support of the episcopal church, was considered by many as not only manifestly unjust, but as operating against the best interests of true religion, which ever flourishes best when totally unconnected with and unsupported by the state. The glebe lands have been ordered to be sold for the benefit of the poor of the respective parishes, on the death or removal of the incumbents at the time of the passage of the law; and the consequence is, that the languor which had overspread the church has totally disappeared, new places of worship are erecting in every town, and as it has now become the *interest* of the ministers of the gospel that the churches should be well attended, everywhere we find cold readers and a few inattentive hearers supplanted by ministers and crowded congregations, alike animated with the real fervour of devotion.

The following report of a case in the high court of chancery at Richmond, will show the true state of the question relative to the glebe lands. It is extracted from the Petersburg Intelligencer of September 28, 1802.

"The question relative to the glebe lands, which has, for many years, excited so much attention in this country, has been discussed at much length during the present term of the high court of chancery. At the last session of assembly an act passed, declaring that the overseers of the poor in each parish, where there was no incumbent, should proceed to sell the glebe, and apply the money to such a purpose as the majority of the parishioners should direct. This property, which was formerly claimed and held by the church of England, has, since the revolution, been claimed by the protestant episcopal church as the successors of the church of England. The overseers of the poor in the parish of Manchester and county of Chesterfield, were about to proceed to execute the law of the last session; and, in order to stop their proceedings, the church-

wardens and vestry of that parish applied to the chancellor for an injunction to stay the sale. In their bill the complainants contended that the property in the glebe was vested in the vestry and church-wardens for the benefit of the church of England; that all the rights of that church now belonged to the protestant episcopal church; that the legislature had, by many successive acts, recognized and secured the rights of the present church; and that the last act of the legislature attempting to divest those rights was void.

"In opposition to this it was contended, that the revolution had completely destroyed every thing like an established church in this country; that the bill of rights guaranteed the rights of religious freedom, and inhibited any preference of one sect to another; that the church of England being destroyed by the revolution, the property given to support it revested in the community; that the acts which had passed since the revolution, some of which vested the property of the church of England in the protestant episcopal church, and one of which incorporated that church, were contrary to the bill of rights and constitution, and therefore void; that it followed that the act of the last session was valid, and that the court ought not to award the injunction.

"After the arguments on both sides were concluded, the chancellor proceeded to give his decision. He examined into the rights of the church; the effect of the revolution on them: he inquired how far the principles of civil and religious freedom, as declared by our bill of rights, and secured by our constitution, were inconsistent with the pretensions of the church, and their enjoyment of property which was originally given for the support of an English hierarchy; he refuted the arguments which attempted to show any injustice in the act of the legislature; and demonstrated, that by restoring it to be disposed of by the majority of the parishioners, it effectuated the purposes of justice, without contravening the rights of property, or violating the approved maxims and rules of law; and finally decided that the law of the last session was valid, and refused to award an injunction to stay the sale of the glebe of the Manchester parish, which was, confessedly, vacant."

I shall conclude this letter by a summary of the manufactures of Virginia for the year 1810, which I have carefully drawn up from the returns of the marshal.

Cotton goods manufactured in families	yds. 3,007,255	
Mixed goods and cotton do	yds. 1,272,322	
Flaxen goods in families	yds. 4,918,273	
Woollen goods in families	yds. 408,224	
	yds. 9,606,074	
Total value of the above	$4,611,445	39
Pairs of stockings 227,578, value	227,578	
Number of looms 40,856		
Stocking manufactories (in Berkly county) 2		
Carding machines, 96		
Fulling mills, 55, yds. 40,911	10,228	
Spindles, 971		
Wool and mixed hats, 276,267	397,979	
16 Blast and 2 air furnaces, at which were manufactured 6,930¾ tons	171,312	50
Bloomeries, 8		
Forges 28, tons manufactured 2740	313,980	
Trip-hammers 10,	29,782	
Rolling and slitting mills 2,	4,500	
Nails 714,795 lb.,	82,446	
Spinning frames 17		
Spinning wheels 13,381		
Cannon 30 (at Richmond),	2,490	
Rifles and other guns 5188,	83,343	
Swords 1081,	5,405	
Blacksmith's work	3,998	25
A steel furnace (in Grayson county) 15 tons	3,750	
Door locks 380	760	
Augers 24,000 (in Kanawa county)	8,400	
Clocks and watches	7,026	66
Gold and silver work, and jewellery (in Frederick county)	4,300	
Tin and copper ware	52,915	
Stills 768	76,800	
Copper, brass, and tin (in Richmond) 2240 lbs.	1,680	
Buttons (in Berkly county)	300	
Lead (in York and Norfolk) 156 tons	26,520	
Leaden shot (in Richmond)	2,040	
Carried over	6,128,978	80

Brought over	6,128,978	80
Candles 276,948 lb.	47,081	
Soap 783,704	78,370	40
Tanneries 442; hides 573,829	676,075	60
Shoes, boots, and slippers 266,643 pairs	601,121	93
Harness 566 setts	11,320	
Saddlery	251,158	50
32 Flax-seed-oil mills, 28,902 gallons	28,902	
3662 Distilleries, 2,367,589 gallons	1,711,679	17
7 Breweries, 133,900 gallons, or 4251 barrels	23,898	32
Windsor chairs 506$\frac{11}{12}$ dozen	9,125	
Cabinet ware	114,557	
Carriages 1680	143,503	34
4 Paper mills, 3000 reams	22,400	
Barrels (in Richmond) 1047	345	
Snuff and tobacco, 2,726,713 lb.	469,000	
3 Potteries (in Augusta county)	1,400	
Rope	162,462	
Curled hair (in Jefferson county) 400 lb.	150	
53 Gunpowder mills, 130,059 lb.	60,767	34
Salt 740,000 bushels	740,000	
	$ 11,282,295	40

Articles of a doubtful nature or agricultural.

441 Grist mills, 753,827 barrels of flour	$ 5,529,463	50
Saw mills 112		
Saltpetre 59,175 lbs.	16,243	88
Maple sugar 95,447 lbs.	14,094	50
	$ 5,559,800	88
Grand total	$ 16,842,096	28

HISTORY

OF THE

PROCEEDINGS OF CONGRESS.

13th CONGRESS—2d SESSION.

CHAPTER I.

§ 1. Meeting of congress. § 2. President's message. § 3. Confidential message. § 4. The embargo. § 5. Mr. King's resolutions. § 6. Indulgence to embargoed coasters. § 7. Exemption in favour of Nantucket. § 8. Motions for suspension and repeal of the embargo. § 9. Repeal of the restrictive system recommended by the president. § 10. Report of the committee of foreign relations. § 11. Debate on the repeal of the restrictive system. § 12. Double duties. § 13. Exportation of specie. § 14. British licenses. § 15. Cuffee's memorial.

§ 1. THE second session of the 13th congress commenced pursuant to law on the 6th of December, 1813. A quorum of both houses appearing the first day, a joint committee was appointed to wait on the president of the United States and inform him that both houses were formed, and ready to receive his communication. Accordingly, on the following day the president, as usual, transmitted his message.

§ 2. In this communication, the president first notices with concern the rejection by Great Britain of the offer of mediation by the emperor of Russia, a result the less to have been expected, he observes, "as it was of a nature not to submit rights or pretensions on either side to the decision of an umpire, but to afford merely an opportunity, honourable and desirable to both, for discussing, and, if possible, adjusting them, for the interests of both." "Under such circumstances," he adds, "a nation proud of its rights, and conscious of its strength, has no choice but an exertion of the one in support of the other," and as an encouragement to this determination enumerates the late successes "with which it has pleased the Almighty to bless our arms,

both on the land and on the water," alluding to the capture of the Boxer and the squadron on Lake Erie on the latter, and the victories of Harrison, Coffee, and Jackson on the former.

The perseverance of the enemy in exciting and employing the savages against the United States is stated to have forced upon us "a departure from our protracted forbearance to accept the services tendered by them." But the retaliation, the president observes, "has been mitigated as much as possible, both in its extent and in its character, stopping far short of the example of the enemy, who owe the advantages they have occasionally gained in battle, chiefly to the number of their savage associates; and who have not controlled them either from their usual practice of indiscriminate massacre on defenceless inhabitants, or from scenes of carnage without a parallel, on prisoners to the British arms, guarded by all the laws of humanity and of honourable war." "For these enormities," the message continues, "the enemy are equally responsible, whether with the power to prevent them they want the will, or with the knowledge of a want of power they still avail themselves of such instruments."

This subject leads naturally to a notice of the retaliatory measures adopted with respect to the American prisoners sent to England for trial, a proceeding which the president characterizes as a violation both of consistency and of humanity. "A standing law of Great Britain," he observes, "naturalizes, as is well known, all aliens, complying with conditions limited to a shorter period than those required by the United States; and naturalized subjects are, in war, employed by her government in common with native subjects. In a contiguous British province, regulations promulgated since the commencement of the war compel citizens of the United States, being there under certain circumstances, to bear arms; whilst of the native emigrants from the United States, who compose much of the population of the province, a number have actually borne arms against the United States within their limits; some of whom, after having done so, have become prisoners of war, and are now in our possession. The British commander in that province, nevertheless, with the sanction, as appears, of his government, thought proper to select from American prisoners of war, and send to Great Britain for trial as criminals, a number of individuals, who had emigrated from the British dominions long prior to the state of war between the two nations, who had incorporated themselves into our political society, in the modes recognized by the law and the practice of Great Britain, and who were made

prisoners of war, under the banners of their adopted country, fighting for its rights and its safety*."

The views of the French government, on the subjects so long under negociation, are stated to have received no elucidation since the close of last session, our minister at Paris not having had opportunities afforded him of pressing the object of his mission.

The only subjects particularly recommended to the consideration of congress, are, a revision of the militia laws, for the more effectually securing the services of the detached militia, and the adoption of liberal provisions respecting the cruisers of friendly powers at war with the enemies of the United States, in securing the use of our ports and harbours, both for themselves and their prizes.

The receipts into the treasury, during the year ending the 30th of September last, are stated to have exceeded thirty-seven million and a half of dollars, of which near twenty-four millions were the produce of loans; nearly seven millions remained in the treasury unexpended on that day. The last loan is stated to have been obtained on terms more favourable than the preceding, and expectations expressed that such further loans as may be necessary will experience no difficulty.

The message closes by expressing a thankfulness, "in which all ought to unite, for the numerous blessings with which our beloved country continues to be favoured," and consoling views of the future, arising from the internal improvements and increasing manufactures of the United States.

§ 3. Two days after the president's communication was laid before congress, another message, of a confidential nature, was received, recommending that an effectual embargo on exports be immediately enacted; that the importation of all articles known to be derived, either not at all, or in an immaterial degree only, from the productions of any other country than Great Britain, be absolutely prohibited; that neutral vessels trading with this country be required to have the masters and supercargoes, and three-fourths at least of the crews, citizens or subjects of the country under whose flag the vessel sails; and that all violations of the non-importation act, all collusive captures by the enemy, and all ransoming of vessels and their cargoes, be subjected to adequate penalties.

The principal and conclusive reason for the embargo is stated to be the encouragement afforded to the fleets and troops infest-

* For the measures adopted by both governments on this subject, see vol. 11, chap. ix. § 11. The whole of the hostages on both sides have since been exchanged.

ing our coasts and waters by the accommodations and supplies afforded them from our own ports, from which they derive a subsistence attainable with difficulty, if at all, from other sources, while the infractions of the non-importation law are stated to be so numerous and open as imperiously to call for new restrictions and regulations, both as to importations by pretended neutrals, and as to pretended ransoms.

§ 4. This message of the president was read and taken into consideration by both houses with closed doors, and their secret proceedings shortly after eventuated in the passage of an act imposing an embargo on all vessels within the limits of the United States, cleared or uncleared, except foreign vessels in ballast, or with the cargo on board at the time of being notified of the act, other than provisions or military and naval stores, provided their officers and crews consisted wholly of foreigners belonging to nations at amity with the United States at the time of the arrival of the vessel. All public and private armed vessels, whether American or foreign, were also exempted from the operation of the embargo; but privateers were to be examined before clearance, so as to prevent their taking any cargo. The president was also empowered to authorize the collectors of the customs, when in his opinion it could be done without danger of the embargo being violated, to grant permission to vessels and boats whose employment had uniformly been confined to the navigation of bays, rivers, &c. within the jurisdiction of the United States, on giving bond for the performance of the duties required by the act, to continue their usual employment.

Every vessel that was loaded at the time of the receipt of the act at the custom-house of the port, was required, under a penalty of the forfeiture of vessel and cargo, to discharge its cargo within ten days, or give bond in double the value of such vessel and cargo, not to proceed on the intended voyage without permission, and the collectors were authorized, until the cargo should be discharged or the bond given, to take possession of the vessel, and to take such other measures as might be necessary to prevent its departure. Very heavy penalties were also imposed on the loading any vessel, or any cart, waggon, &c. with the intent of exportation, and collectors were authorized to seize them on suspicion.

Powers were granted to the president, or such other person as he should authorize, to employ if necessary the land or naval forces or militia to carry the embargo into operation, and to suppress any riotous assemblage opposing its execution, and the public vessels and privateers were authorized to capture any

vessel which should have violated its provisions, and to send it in for adjudication.

This embargo was declared to be in force from the time of the passage of the act till the first of January, 1815, unless a cessation of hostilities with Great Britain should previously take place; in which event, or in any other that in the opinion of the president should render it compatible with the public interest, he was authorized to declare its termination by public proclamation.

§ 5. A short time after the passage of the embargo law, Mr. King, of Massachusetts, offered some resolutions in the house of representatives, declaring that the constitutional powers of congress do not extend to the suspension or interdiction of the coasting trade from a district in one state to a district in the same or an adjoining state on the sea-coast, or on a navigable river.

The house refusing, by a majority of 95 to 65, to consider this resolution, Mr. King, a few days afterwards, offered the following resolutions:

1. *Resolved*, That the representatives of the people, in congress assembled, cannot, consistently with the provisions of the constitution and the nature of our government, refuse to consider any resolution offered by any one of said representatives. Therefore,

2. *Resolved*, That the refusal by the majority in this house to consider the resolutions offered by one of the representatives of the people of Massachusetts, on Friday the 14th of January, 1814, asserting the right of the people, and of the respective states to a free state coasting trade, interdicted by an act of congress, was an infringement of the right of the representative, and of the privilege of a member of this house, to be heard on this floor in behalf of his fellow citizens, and an injury to the people. And therefore,

3. *Resolved*, That the decision of the majority of this house, not to consider the resolutions before named, offered by a member on Friday the 14th inst. on the subject of the state coasting trade, be, and the same is hereby rescinded.

And to provide against such abuse in future,

4. *Resolved*, That the following be added to the rules and orders of this house, viz.: That every original motion or resolution, in writing, offered by any member (the nature, reason, and object of it being first stated by him, if he sees fit) shall be immediately received by the clerk and read, and thereupon be before the house for consideration, to be disposed of as the house may judge right. And such resolutions and motions shall be in

order, and be called for by the speaker, immediately after reports from select committees; and if any question of priority arise, it shall be decided, in the order of states, as in the case of petitions.

The question, will the house consider these resolutions, was decided as follows:

For the consideration of the first resolution	43
Against it	92
For consideration of the second	17
Against it	116
For consideration of the third	21
Against it	102

The fourth resolution was laid on the table, agreeably to a rule of the house, which ordains that all resolutions altering the rules of the house shall lie on the table one day, and was never again taken up.

On the 18th of January, Mr. King submitted another resolution, instructing the committee of foreign relations to enquire into the *right* of so amending the embargo act, as to permit such coasting vessels as were absent from the district where they were owned or employed at the time of the act going into operation, to return home with their cargoes, *on such conditions as may be constitutional.*

§ 6. This resolution was passed, 82 to 69, after verbally amending the words in italics, which were considered unmeaning, and accordingly on the 3d of February a bill was reported by the committee, which was passed by both houses, and ratified by the president on the 4th of March. This act empowered the president to authorize the collectors of the customs, to grant permissions to vessels detained by the embargo in districts other than those where they are owned or belong, to return home, in ballast, or with the cargo on board at the time of the embargo taking effect, except in the case of provisions, or naval and military stores, on giving bond for four times the value of vessel and cargo, for her compliance with the conditions agreed on. No passengers were to be allowed to be transported in those vessels, except the owners, supercargoes, or agents, nor more than a sufficient number of seamen for their navigation, of the sufficiency of which number the collector was to be the judge, and a penalty of $ 500 was imposed for every seaman shipped that should not be relanded, except in case of death, or other unavoidable casualty. No vessel to be entitled to the benefits of the act unless permission should be applied for three months after its passage. The president was authorized, however, to

grant permissions to vessels that might be employed on public account, to return home in ballast at any period during the embargo.

Several amendments were proposed to this bill by the minority, in the house of representatives, going to extend its provisions, or relax its restrictions, so as to allow the vessel, permitted to return, to carry provisions and naval stores and passengers, but all of them were rejected by the house.

Mr. Wilson, of Massachusetts, moved to add a new section to the bill authorizing the president to permit the coasting trade from one port to another of the same state. Among other arguments in favour of his motion he stated, that in some districts of the state of Massachusetts there was not, in the most prosperous years, more than one-fourth enough provision raised for the consumption of the district; and, if the inhabitants meant to support life, the law lately passed left them no other alternative, than that of breaking it, or leaving the soil. Some of the islands, too, he stated, with which, under the embargo law, all commerce was interdicted, were entitled to send representatives to the state legislature, who were thus prevented from attending at the seat of government. These towns also contributed to send a representative to congress; and such was the absurdity of the law, that if a representative were to be chosen from one of these islands, he could not attend the duty, because he was prohibited from moving. Mr. Wilson also doubted the constitutional power of congress to interdict the intercourse between ports in the same state, contending that as an express power was given to regulate commerce with foreign nations, *between* the different states, and with the Indian tribes, the expression of these excluded all other power on this head, and of course excluded the power of regulating commerce within the states.

Mr. Grundy, of Tennessee, in reply, said, that an investigation of this subject at the present moment would much delay the passage of the bill, which the gentlemen on the other side had represented as absolutely necessary, and that another opportunity of discussing it would shortly come regularly before the house.

The opposition to the bill was chiefly grounded on the character of instability which it would give to the measures of government. If we are to have commerce, it was said, let us have it free and unrestrained; if embargo, let it be complete and stable.

The bill finally passed the house by a large majority; 100 voting for, and only 40 against it. Many of the usual majority and minority changed sides on this occasion.

§ 7. While this bill was on its passage, another of a similar nature was enacted, which originated in the senate. This bill

authorized the president, during the continuance of the embargo, to grant permission, on application, to any of the inhabitants of the island of Nantucket to employ vessels for the purpose of conveying fuel, provisions, and other necessaries from the main land to the island, and for carrying oil, spermaceti candles, and fish, from Nantucket to the main land, under the regulations and security required by the embargo act*.

In the house of representatives, Mr. King, of Massachusetts, proposed to amend the bill so as to extend its provisions to any other island or place in the United States or territories, which should be similarly situated with Nantucket.

This was opposed by Messrs. Grundy, Farrow, and Wright. If there were other places, it was said, requiring the interposition of congress, separate applications would be made in their behalf. The people of Nantucket had made out a case entitling them to relief; but of the situation of other places we have no information on which we can act. If the object of the house was to preserve the embargo, they ought to be very cautious in adopting any measure which might defeat that object. It was hoped, therefore, that gentlemen would not persist in an amendment which would defeat the bill.

The amendment was negatived, only 49 voting in its favour; and the bill finally passed, 105 to 8.

§ 8. On the 2d of March, Mr. Wright, in the house of representatives, after a few preliminary observations, moved that a committee be appointed to enquire into the expediency of suspending the embargo law during the impending negociation for peace. In the course of his observations, he said, that he thought he was justified, from the conduct of both governments, in the belief that an armistice will be agreed to on the commencement of the negociations at Gottenburg, as the practice of all nations, as well as the two powers now negociating, evinced this to be the common usage of nations. If, then, continued he, the sword shall be sheathed during the negociation by an armistice, that sword that can only wound the enemy, I ask, if the two-edged sword, the embargo, ought not during the negociation also to be sheathed, that which cuts both friends and foes? And whether it is not our duty to test our devotion to our constituents, and to relieve them from all pressure that may not be absolutely necessary? Their patriotic submission to it, while absolutely necessary to press the enemy, entitles them to its removal, while the prospect of peace induces a hope that it may not be

* A permission of a similar nature was granted by congress, to the inhabitants of Nantucket, in 1775. See Journals, vol. i. p. 109, 276, 289.

necessary as a weapon against the enemy. Having himself advocated the embargo during the summer session, and the present embargo, and there being no power to suspend it at this time but by an act of the legislature, he thought it his duty, he said, to submit the resolution.

On the question of consideration of the resolution, which by the rules of the house is not to be debated, the votes were, for consideration 65, against it 68; so the house refused to consider the resolution.

§ 9. A motion somewhat similar to the above was submitted to the house by Mr. Gaston, of North Carolina, on the 14th of March, from which, however, it differed, he stated, in two circumstances. It did not embrace a mere palliative for the evil, but a radical cure; it did not propose an enquiry by any committee into the expediency of a certain course, but it required a decision thereon by the house. In other words, it was a proposition for a total and complete abandonment of the restrictive system—an abandonment at once and for ever. It might be supposed at first a little strange that he should entertain a hope, that a proposition of this kind should receive the sanction of the house, when it had so short a time ago made a decision in favour of the embargo. But there were a few considerations applicable to the present moment, which induced the hope that the house might depart from the system. It would be recollected that the government was now about commencing, perhaps had already commenced, the collection of the war taxes imposed by congress at their last session. How it might be in other parts of the country he could not say; but in the part whence he came, he could say with some confidence, that unless there should be a departure from a system which deprived the husbandman of a market for the produce of his labours, these taxes would bear most oppressively on the people. It was of importance, too, that a decision should be pronounced on this subject without delay, from another consideration. Speculations were already afloat, rumors circulated, and hopes indulged, that the embargo would be removed. If such a thing was designed, it was necessary that the design should be effectuated without delay, that all persons interested might be permitted to derive fair profits from the trade which would be thrown open on a removal of the embargo, and that it might not fall altogether into the hands of speculators. It was important that suspense should be done away, and that those sensations which arise from a rapid succession of hopes and fears, should be lulled. There was another consideration which had weight on his mind. Congress had authorised by law an immense

expenditure. To enable the treasury to meet this expenditure, a large loan had become necessary. Such was the pressure on our monied institutions, from the present state of commerce, as induced him to suppose there would be a most serious difficulty in obtaining that loan. If the consequences would be felt only by those through whose agency the present state of things had been produced, candour required of him to say, that he should behold it with composure, if not with complacency. But he looked to its effects on the character of the nation, and on its public credit; and, as far as these considerations went, he felt as lively an interest in the success of the loan as any gentleman in the house. One more consideration he would urge. He was one of those who thought this policy always erroneous, embarrassing to the finances, oppressive to the community, and inefficient as regards the enemy. But if he had been in an error on this subject; if the contrary opinion was correct, he submitted to gentlemen whether the period had not passed by when any important advantage could be expected to be derived from the embargo? Could we, he asked, expect to produce a difficulty in obtaining provisions for the armies of Spain and Portugal, when their soil was no longer polluted by a hostile foot? That we could occasion difficulty to Great Britain in obtaining supplies for her navy, when all the granaries of the world were open to her? Or that we could affect her manufactures by prohibiting their importation, when we know, that with all their exertions, her artizans can scarcely produce a sufficient supply to satisfy the present demand for her fabrics from abroad? With these considerations, Mr. Gaston submitted the following resolutions:

Resolved, That it is expedient to repeal the act laying an embargo on all ships and vessels in the ports and harbours of the United States.

Resolved, That it is expedient to repeal so much as may be in force of the several provisions of an act entitled 'An act to interdict commercial intercourse between the United States and Great Britain and France and their dependencies, and for other purposes.'

Resolved, That a committee be appointed to bring in a bill or bills pursuant to the foregoing resolutions.

The question for considering these resolutions was decided by ayes 58, noes 86.

Three days afterwards Mr. Wood, of Massachusetts, offered for consideration the following resolution, which was also negatived; for considering it 63, against it 80:

Resolved, That the committee of ways and means be instructed to enquire into the expediency of allowing vessels whose cargoes shall consist of firewood, bark, or lime, to proceed from one port or place in a state to one or more ports in the same or an adjoining state, under such restrictions and regulations as the president of the United States shall direct; and also into the expediency of allowing the vessels heretofore chiefly employed in the fisheries to be employed again in the same business.

Similar attempts for the removal of the embargo were made in the senate. On the 23d of March Mr. Horsey, of Delaware, presented sundry petitions, signed by a number of persons, citizens of the state of Delaware, stating, that, owing to the changes on the continent of Europe, the embargo no longer affected Great Britain; that at this time the measure was peculiarly distressing to the people of the United States, and particularly to the petitioners, and therefore praying for its repeal. On the reading of the petition, Mr. Horsey, after a few observations similar in substance to those made in the house, submitted a resolution that the petition be referred to a select committee; and that the committee be instructed to prepare and report a bill to repeal the embargo. This resolution was ordered to be printed, and was referred for future consideration.

§ 10. Before it was taken up, however, a most important message was received from the president.

In this communication, which was transmitted to both houses on the 31st of March, the president recommends a repeal of the embargo and non-importation acts, in consideration of the extensive changes which have recently taken place favourable to a liberal commercial intercourse with the foreign nations in amity with the United States. The president also recommends, as a safeguard for American manufactures, that the additional duties should be prolonged for two years instead of one, after the conclusion of peace; and that, in favour of our monied institutions, the exportation of specie should be prohibited throughout the same period.

The message, after being read, was referred in both houses to the committee of foreign relations, and on the 4th of April the committee from the house of representatives made a report, accompanied by a bill embracing a repeal of the embargo and non-importation acts. In this report the committee say, that they think it a duty which they owe to the house and the nation to state the grounds on which those important measures are recommended.

"Previous to the late changes in Europe," continues the report, "the bearing of our restrictive measures was for the most part confined to our enemies; the obstruction to our commercial intercourse with the friendly powers of the world being in a manner insuperable. At present a prospect exists of an extended commercial intercourse with them, highly important to both parties, and which, it may be presumed, they will find an equal interest and disposition to promote. Denmark, all Germany and Holland, heretofore under the double restraint of internal regulation and external blockades and depredations from a commerce with the United States, appears by late events to be liberated therefrom.

"Like changes, equally favourable to the commerce of this country, appear to be taking place in Italy and the more extreme parts of the Mediterranean. With respect to Spain and Portugal, in the commerce with whom the United States have great interest, it may be expected that commerce may be carried on without the aid heretofore afforded to the enemy. Should peace take place between France and her enemies, including Great Britain, the commerce of the United States with France will fall under the same remarks.

"The considerations of an internal nature which urge a repeal of these acts, at this time, are not less forcible than those which have been already stated. Among those are the following: The committee are persuaded that it will considerably augment the public revenue, and thereby maintain the public credit; that it will enhance the price and promote the circulation of our produce, in lieu of specie, which has, of late, become so much the object of speculations tending to embarrass the government."

§ 11. The bill was taken up in the house on the 6th of April, when Mr. Calhoun, of South Carolina, the chairman of the committee on foreign relations, rose to speak on its merits. He began by taking a view of the commencement of the restrictive system, which, he observed, sprung from an unusual state of things: it was a pacific policy arising from the extraordinary state of the world at the time we embarked in it—and of course was a temporary rather than a permanent policy. It originated at a moment when every power on the continent of Europe was arrayed against Great Britain, and no one country in Europe was then interested in the support or defence of neutral rights. In this state of things, the United States, in order to avoid war, resorted to the restrictive system—resorted to it because the extraordinary state of the European world presented a prospect that the strong pressure of

this system on Great Britain might save the nation from a war into which we have since been reluctantly drawn. Gentlemen might say, that in this view of the restrictive system, it ought to have terminated at the commencement of the war. To be candid, Mr. Calhoun said, that was his opinion; and when a motion was made by a gentleman from Massachusetts to that effect, he (Mr. Calhoun) had advocated it on the ground that the restrictive policy was opposed to war. That motion was not successful, but it was rejected by a majority of only one vote, so many members of the republican party agreeing with him in that opinion as almost to have carried the question at that time. But why was the system not then terminated? The state of the world, which originally induced the system, which gave great energy to it, continued in its pristine vigour. All Europe was still occluded to British commerce; the war between Russia and France had not broken out; Russia had not then opened her ports to British commerce.—Had the state of the world then been what it now is; had all the European world, France excepted, been open to British commerce; had there existed neutral nations on the continent of Europe, of great power and influence; had this state of things then existed, there was the strongest reason to believe, from the small minority against the resolution of the gentleman from Massachusetts, that the restrictive system would have been terminated by the war. But, let us now attend to the present state of the world. As between us and Great Britain, there are many nations of great power now in a neutral condition. Russia, Sweden, all Germany, Denmark, Russia, Spain, for even she may be considered neutral—and perhaps Holland. Under the entire change in the circumstances of Europe, ought not the restrictive system then to terminate? Indubitably. All the reasons which justified and recommended its continuance had ceased. Suppose we were to persist in the measure. Does any one believe that England will feel the measure as she did when the continent was shut? Certainly not. But, in addition to that consideration, the fact is that we are now contending for free trade, and ought to propitiate as much as possible every nation which has the same interest as ourselves in its maintenance. It is our interest to attach the friendship of Russia, Sweden, Holland, Denmark, to the cause of America. Mr. Calhoun felt a strong impression, that if we opened our ports to them, and the maritime usurpations of Britain continued, they would in time make common cause with America. It would not be decorous or wise for the United States, standing up for the freedom of trade, to pursue a course of policy

calculated to irritate those nations with whom we may have common cause. What had the emperor of Russia said in relation to our war with Britain, when apprized of it? He had expressed his solicitude for trade with America, and regretted that our difference with Great Britain would interrupt it. The same feeling which governed the emperor of Russia in this respect, must, in a greater or less degree, govern every nation on the continent of Europe, whose interests are the same. But it might be said England would not permit this trade. To what situation would she then be reduced? She must either keep up her present mere cruising, or paper blockade of our sea coast, to prevent the entrance of those neutrals, or modify her system of paper blockade in favour of all neutrals. Will not a persistance in her present illegitimate blockade, and capture at sea of neutral vessels destined for the United States, irritate and vex those nations, and detach them from the cause of Great Britain? If, on the other hand, she modifies her blockade in their favour, we may carry on a lucrative trade to the continent of Europe, not beneficial to England, but very much so to the United States. The very option which will thus be presented will embarrass the British cabinet, and have a stronger tendency to produce peace than ten years continuance of the present system, when the prospect of its producing any pressure has become so very faint.

With regard to the charge of inconsistency; that, Mr. Calhoun observed, consisted in a change of conduct when there is no change of circumstances to justify it. Those who adapt their conduct to a change of circumstances act not inconsistently but otherwise. They would be inconsistent if they persisted in a course of measures, after the reasons which called for them had so changed as to require a course directly the reverse. Some fears had been expressed, Mr. Calhoun said, in regard to the manufacturing interest, but he felt convinced that the house would not suffer the manufactories to be unprotected in case of a repeal of the restrictive system. At all times, and under every policy, he hoped they would be protected with due care.

Mr. Webster, of New Hampshire, next took the floor. After a few remarks, in a humorous style, on what he denominated the death and funeral of the restrictive system, which he said he was happy it had fallen to his lot to be present at, he observed, that the character of this system, like that of many other things, could not be generally understood until it was destroyed. It was now passing off with general execration; its true features would now be distinctly seen, its true character correctly understood. The opponents of this system had always asserted, that it was a

system of policy not truly American; but that it was connected, and intended to co-operate with the affairs of Europe; and that, in fact, no effect could be expected from it, but by its co-operation with the views of France. The truth of this assertion was now admitted by the friends of the system, though till now it had always been denied. The ground on which the system was now proposed to be given up was, that the state of things created by the predominance of French power on the continent of Europe had ceased, and the system which depended on it ought to cease also. The great objection to this system, Mr. Webster said, was, that it had a tendency to make the politics of this country dependent on those of Europe, to make us fluctuate with the current of its affairs. The same reason which was now urged for the taking it off would prevail to cause its re-enactment, should France once more prove victorious over the allied powers. Thus it was, that until this habit of connecting our politics with the affairs of Europe should be abandoned, we should not be an independent people. Mr. Webster next adverted to the evils attendant on the habit of frequent and violent changes of policy in a commercial country, every one of which produced the ruin of thousands. There was no calculating, he said, on the course of the government; there was not a time, for the last two years, when any person could calculate on the permanence of its policy for a moment beyond the present. What made it worse was, that the true standard by which the politics of the government had been managed had never been told to the people. On the contrary, they had been led to believe, by the friends and supporters of the administration, that the politics of Europe had nothing to do with our measures, and the standard by which others adjudged them was declared to be unjust and unfounded. Who could have imagined that the restrictive system would have been abandoned so suddenly? If the people had been told it would be abandoned when the power of France was crushed, they would have understood it, and acted accordingly. A government subject to such sudden changes was not competent to manage the affairs of a great nation. There were many other very important considerations connected with this change in our policy. The people had been told that this system had a great tendency to promote infant manufactures; that if it did nothing else but induce the habit of providing for our own wants by our own means, it would be a blessing. How often had this consideration been enforced! And yet those who understood the system did not hesitate to tell the people, that the moment the policy of the government required it, the manufacturers would be sacrificed with as little hesitation as the mer-

chants had been; that the same unsparing hand would prostrate both—that the manufacturers, as well as merchants, would be suffered to fall without remorse and without regret. Something had indeed been said in the message in regard to double duties, which were to guard the manufacturers from loss. Mr. Webster said he admonished every man in the nation not to be taken in by this intimation. The double duties would not be continued—he did not say they ought; but, if not, they ought not to be held out as likely to be continued. The proper measure would doubtless be a regular tariff of duties, and not rashly to double the duties on all articles, on coffee, tea, and other necessaries, in order to encourage the manufacture of woollens, &c. The moment the purpose of affording revenue no longer required them, the double duties would be abolished, he repeated. What was the duty of a government in respect to its policy? That it should be regular, not variable. With respect to manufactures, Mr. Webster thought it necessary to speak with some precision. He was an enemy to rearing manufactures or any other interest in a hot-bed; he would not legislate too rashly in relation to them. All manufactures compatible with the interest of the country ought to be fostered; but for one he never wished to see a Sheffield or a Birmingham in this country. He spoke of the evils of extensive manufactories, &c. and too populous towns. He wished to let the different pursuits of society take their own course, and not to give excessive bounties or preferences to one over another. The true spirit of the constitution did not confer the power on government to change the habits of whole sections of the country, but to grant protection to all sections of it to pursue their own avocations, which ought to be encouraged but not forced. He hoped on this, as on other points, to see the government returning to an honourable and correct course. At the abandonment of the embargo he rejoiced; and should rejoice still further when the government should pursue a permanent system, announce its policy to the people, pursue measures on its own strength, and not subject us to the power and will of foreign nations.

Mr. Calhoun made a few remarks in reply to Mr. Webster. That gentleman, he observed, had said that it was now proved that the policy of the restrictive system was not truly American. If the gentleman meant that the system had grown out of the state of the world, he was right. This circumstance had been repeatedly avowed, and never concealed. Mr. Calhoun said, that while he admitted we ought not to form "entangling alliances" with other powers, yet not to regulate our conduct in relation to commercial matters by the state of affairs in Europe,

would be a course of policy imprudent and unwise. Every measure adopted in respect to foreign commerce must be predicated on a knowledge of the state of Europe. If not, we had better at once adopt the terrapin policy gentlemen have so much reprobated, and have not a cock-boat or sail on the ocean. The whole fallacy of the gentleman's argument, said Mr. Calhoun, consists in this: he considers our measures as co-operating with those of the emperor of France, and desires to produce the impression that we have common views and the same object with France. Such is not the fact. But the people of the United States, in pursuit of their own interest, have a right to seize on circumstances, however produced, whether by England, France, or Russia, and to suit their commercial policy thereto. In this point of view we have co-operated with France; we have seized on passing events, and adopted measures applicable to the circumstances of the times, and adapted to the policy of the country. No imputation of improper foreign influence can be sustained against the government for seizing the circumstances arising from the state of either France or England to adapt our measures accordingly. Even England regulates her conduct by that of France. And when nations regulate their policy by the circumstances of their enemies, might not we, whilst neutrals, regulate our conduct according to the circumstances of the belligerents? The restrictive system and this war have a common policy—to maintain our rights, and compel the enemy to respect our just claims. We had commenced resistance by the restrictive system. It would have been wiser, Mr. Calhoun said, in his opinion, if we had begun with war, and if he had then been a member of this house he would have preferred that course. That the two systems of war and restriction were consistent with each other was all that he contended for. We were now, he said, in pursuit of the good old policy to which we have been compelled to resort, of resisting by war the maritime oppressions of Great Britain, which began with the rule of '56, and gained strength in the power and ambition with which the administration of Chatham inspired the councils of England. It had continued growing until it had compelled this country to leave the sweets and ease of neutrality to encounter the hazards and hardships of war. What would be lost by giving up the restrictive system, Mr. Calhoun said, would be made up by increased vigour to the war. We should still be able to coerce the enemy; we could still act, and act more strongly on his provinces; we could commit depredations on his commerce by our privateers; and the very circumstance of war existing with Great Britain, together with the operation of the double duties, would

still retain, as to her, two-thirds of the commercial restrictions which now exist.

Mr. Webster rose to correct an impression his former remarks appeared to have made. The great objection which he had before offered to the restrictive system was, that it was a measure which depended on the course of events in foreign nations. He had made no observation as to motives: the occasion did not call for it; but he contended that the system about to be abolished was a system of false policy altogether—in other words, that "the good old-fashioned policy" was that from which we should never have departed. We ought to have asserted our rights by our own strength, and not, even for the purpose of effecting a great object, have resorted to a course of measures which must be inoperative; we ought to rely for the maintenance of our rights and redress of our wrongs on our own power, and not adopt a policy depending on others to make it efficient. Of late our policy had been so wavering, one day voting this system good, another day bad, that our acts and statutes frown at each other on record in the most positive spirit of contradiction.

Mr. M'Kim, of Maryland, moved to strike out the 2d section of the bill, which repeals the non-importation act.

Mr. M'Kim said, that he saw no necessity for repealing the prohibition of imports of British manufactures, as we could obtain every thing we wanted from other nations, and he felt unwilling to acknowledge to the enemy that we cannot exist without her products. He was likewise of opinion, that our infant manufactures would be ruined by this measure. The manufactures of Great Britain had been, metaphorically speaking, dammed up for several years past; and although the duties on imports were abundantly sufficient, in ordinary times, for the protection of our manufactures, yet he doubted whether they were sufficient to support that interest against the shock which would be felt by suddenly letting in upon them a flood of British manufactures. To show the importance of the manufacturing interest, Mr. M'Kim stated, that by the returns of the marshals in 1810, it appeared that the domestic manufactures of the United States amounted to two hundred millions of dollars. This statement, he remarked, ought to induce the house to reflect well on the expediency of any measure which might have a tendency to injure our growing manufactories.—He admitted that the interest of the manufacturers was a consideration which ought to be subordinate to the general good; but he believed that an enlightened policy did not require the government at this time to

remove the restrictions on the importation of British manufactures.

Mr. M'Kim's motion was opposed by Mr. Calhoun, on the ground that the war and the double duties formed a sufficient protection for our manufactures. It was well known, too, he said, that nothing was more difficult to execute than a non-importation law, as well by direct smuggling as by false papers. This hazard ought not to be encountered, unless there was a prospect of very powerful good to result from it.—Whatever there might formerly have been, there certainly was no such prospect now, all Europe being open to British manufactures.

Mr. M'Kim's motion was negatived, yeas 34, nays 110.

Mr. Oakley, of New York, made two successive motions, the object of which was to do away all penalties and forfeitures which shall have been incurred under the acts proposed to be repealed.

These motions were supported by Mr. Oakley and Messrs. Gaston, King, of Massachusetts, and Ward, on the ground that the continuation of prosecutions and collections of fines and forfeitures would answer no end, the laws being repealed, but to enrich informers, without producing any salutary effect, as the object of penalties was not to avenge but to deter from violation of law, &c. and especially in cases of offences which were constituted by temporary laws; and were opposed by Messrs. Wright, of Maryland, and Calhoun, of South Carolina, on the ground of the necessity of enforcing general respect to the government and laws generally, as well as of particular statutes, and on the argument that the magnitude and evil of any wanton violation of law was in no degree lessened by the repeal of the law violated, but ought to be as rigidly punished as if the law were still in existence.

These proposed amendments were negatived, the first by a large majority, and the second by the following vote:

For the amendment	52
Against it	88

Mr. Bradley, of Vermont, moved to strike out the third section of the bill, which prohibits any foreign vessel from leaving the United States, whose officers and crew shall not consist wholly of the citizens or subjects of the country to which the vessel may belong, or of a country in amity with the United States, and also prohibits citizens of the United States from leaving the United States in foreign vessels without passports from government, during the continuance of the war.

The motion was opposed by Mr. Rhea, of Tennessee, as opening a door to the enticing away of our seamen, &c. and, if it

were agreed to, our seamen would be taken off by neutrals, used by them as long as convenient, and then turned adrift without any provision for their return; that our seamen would besides be liable to impressment by the enemy; and that these evils were too great to be endured merely for the sake of conciliating neutrals.

The motion was supported by Mr. Robertson, of Louisiana, Mr. Lowndes, of South Carolina, Mr. Grosvenor, of New York, Mr. Duvall, of Kentucky, and Mr. Murfree, of North Carolina, on various grounds, among which were the following: That it was in the nature of a sanction to the principle of impressment; that it would have an effect very different from that which was expected from it, because the appearance of restraint would tend to drive our seamen from our service; that it would in fact act oppressively on those seamen who, not being employed in our own marine, might be left destitute of employment by the retention of such a provision; that there was no occasion for this section to facilitate the manning of our public ships, because there would be no difficulty in manning them, nor ever had been of late, except for the fear in the seamen of being employed in the lake service; and that, if there were any difficulty, the very passage of such an act, going to make a prison of our country, would increase rather than diminish it. Mr. Grosvenor intimated also a doubt as to the constitutionality of this section.

The question on striking out the section was determined in the negative by a majority of 8, the yeas being 70, the nays 78.

The bill finally passed the house without any amendments affecting its principles, by 115 yeas to 37 nays.

After the first reading of this bill in the senate, a motion was made by Mr. Horsey, of Delaware, to dispense with that rule of the senate which requires that bills shall receive their three several readings on different days. Mr. Horsey said, that he did not wish to precipitate this bill through the senate in a day, but merely to refer it to-day to the committee of foreign relations, that the house might act on it definitely to-morrow, which is the last day of the week. If this course were not pursued, the house could not act on the bill till Monday. Meanwhile a painful state of suspense would prevail in the community in relation to its fate; and great speculations would go on during the pendency of the question, because many might be incredulous enough to believe that the bill would not pass this body, though no gentleman on the floor could entertain a doubt of it.

Mr. Dana, of Connecticut, said that, for himself, he had no idea of that sort of legislation which resembled a race. The rules of the house had been often enough suspended; it was time

a stop should be put to the procedure. Be it that there are speculations, said he; be it that merchants are enduring unpleasant suspense; are we to forget the principles on which we ought to make laws, merely because men are impatient in the coffee-houses? It was time this rapidity of legislation should be arrested, and that this house should not suffer its proceedings to be regulated by a regard to speculations among the merchants. It was in cases of importance like the present, that this rule ought to be most adhered to, &c.

Mr. Bibb, of Georgia, said, if this question to suspend the rule turned on the point whether the bill which was before the senate should or should not pass without consideration, the remarks of the honourable gentleman from Connecticut would certainly be entitled to very great weight. But the object of the motion was, if he understood it, to enable the senate to deliberate on the measure without delay, by referring it to a select committee for the very purpose of deliberation, which would be delayed under the ordinary rule of proceeding for one day.

Mr. Giles, of Virginia, was opposed to a suspension of the rule in question. If that rule meant any thing, it was intended as a check against the excitement of particular occasions, like the present. Dispense with the rule, said he, and you yield to that excitement, against the effects of which the rule was intended to guard. He had no objections to this bill's going to a committee in the usual form, though there were peculiar and strong reasons, growing out of the nature of the bill, against its going to a standing committee, as well as against dispensing with the usual rule of proceeding. There were three distinct, separate, and independent principles contained in this one bill, in regard to which it might be a subject of very serious deliberation whether they ought all to be included in one bill. The first of these was the repeal of the embargo, a principle important enough of itself to form one bill; the second was a repeal of the whole non-importation system, a very important measure; and the third was a prohibition to our seamen from going out of the United States, which would also operate as a prohibition on their coming in. Every one of these subjects required a separate and distinct consideration. Mr. Giles said he had always observed that legislation was most correct, when the bill before the legislature embraced distinct principles, and least so when it contained a combination of principles frequently at war with each other. He therefore objected to the suspension of the rule, first, because it would be treating the rules of the house with unnecessary levity; and, secondly, because of the generality of the reference it was proposed to give to this bill embracing several distinct provi-

sions. There was, he said, a great difference between a repeal of the embargo and a repeal of the non-intercourse; and, though he might favour both, he inclined to think that they ought to be separated into distinct bills.

Mr. Taylor, of South Carolina, spoke in favour of a suspension of the rule. The ordinary business of legislation, he said, required such a rule as a remedy against surprize. On all great subjects, the reason of the rule ceased, and there might be a propriety in dispensing with the rule. The provisions of this bill had been a subject of conversation ever since the reception of the president's message; and, even if the bill contained as many more principles as had been enumerated, gentlemen had made up their minds on it. Even the opposition to the progress of the bill might give a false colouring to the views of this house in relation to it, and tend to deceive and injure not the coffee-house politicians, but the honest citizens throughout the country, who are not generally as well informed as the merchants on public matters.

Mr. Dana said, that he wished time to reflect on this bill—a bill containing more in a small space than any bill ever before presented to the house, some of the provisions of which were in his opinion very objectionable. As to the idea of referring the bill to a committee for the purpose of deliberation, he did not for his part wish to deliberate by delegation. He wished time to deliberate; for, although he was perfectly fixed in the principle of repealing our commercial prohibitions, he wished time to deliberate on the other provisions—and especially since the president had referred the decision of the question to the discretion of congress, &c.

Mr. Horsey said, as it appeared, from the remarks of gentlemen, that they were not prepared, as he had supposed all were, to act on the bill to-day, he would withdraw his motion.

The bill being the following day referred to the committee of foreign relations, was reported by them with an amendment striking out the two last sections, which prohibited the departure of any American seaman or citizen on board of foreign vessels, without a passport from the secretary of state. This amendment was agreed to, yeas 29, nays 3, and the bill passed the senate, yeas 29, nays 4.

The bill being returned to the house of representatives for concurrence in the amendment of the senate, the question was decided by that body without debate as follows:

For the amendments	68
Against them	52

This bill, which received the signature of the president on the

14th of April, repeals the embargo and non-importation acts, but provides that all penalties, &c. incurred by virtue of those acts shall be recovered, &c. in like manner as if they had remained in full force. It also provided, that nothing contained in the act should be construed to authorize the importation of any article belonging to the enemies of the United States.

§ 12. The same day that the bill repealing the embargo was reported to the house by the committee of foreign relations, the committee was discharged from the consideration of that part of the message relating to the double duties, and a resolution was subsequently passed, on motion of Mr. Ingham, directing the secretary of the treasury to report to congress at their next session a general tariff of duties, conformably to the existing situation of the general and local interests of the United States.

§ 13. A bill was reported in the house of representatives by the committee on foreign relations, agreeably to the recommendation of the president, prohibiting the exportation of gold and silver coin and bullion, but it was indefinitely postponed on its third reading, 63 to 60.

The opposition to this bill was grounded on the futility of attempting to arrest the exportation of specie, which no government, even the most despotic, could carry into effect. A law to prevent the ebb and flow of the tide, it was urged, might as rationally and almost as certainly be expected to be effectual, as a law to prevent specie finding its level.

Mr. Calhoun, the chairman of the committee that reported the bill, said, that no person, he believed, conceived the bill could be completely effectual. The only question was, would it deaden the current of exportation of specie? Some appeared to think it would; and this was the opinion of many of the banks in the country. Others thought differently, however, and, for himself, he had not made up his own mind on the subject.

The bill, as already mentioned, was indefinitely postponed, which is tantamount to a rejection.

§ 14. The following day, Mr. King, of Massachusetts, rose to make a motion on the subject of the law now in existence, prohibiting the use of foreign licences. He thought that it ought to be repealed for several reasons which he assigned, viz. That as, in pursuance of the recommendation of the president, every feature of the restrictive system had been abolished, it was important to put our own vessels at least on an equality with those of neutral nations trading with us; that for this purpose a repeal of this law was necessary; that there were absent from the United States, and shut up in European ports, many American vessels, which could not return, except under the protection of

foreign licences. He had heard but one objection to this repeal: it was suggested that to repeal the law in question would be a kind of submission to the enemy. He thought not. It was the practice of nations generally in time of war; and even in the present war of extermination between France and England, those nations traded directly with each other. Another consideration which ought to induce the house to accede to the motion, was the opinion of American merchants generally, which was in favour of the repeal of the prohibition, &c. Mr. King's motion was as follows:

"*Resolved*, That the committee on foreign relations be and they are hereby instructed to enquire into the expediency of repealing an act passed on the 2d day of August, 1813, entitled, 'an act to prohibit the use of licences or passes granted by authority of the united kingdom of Great Britain and Ireland,' and that they have leave to report by bill or otherwise."

When Mr. King submitted this motion, it contained also a clause including the act to prohibit the ransom of vessels captured by the enemy; but it being suggested that the bill on this subject had not yet become a law*, Mr. King erased that part of his motion which related to ransoms.

The house having agreed to consider the motion, by a vote of 53 to 44, an animated debate took place, in the course of which the resolution was modified, on suggestion of Mr. Gaston, of North Carolina, by inserting after the word "Ireland" the following words:

"Or so modifying the said act as to permit licences granted by the authority of the government of the united kingdom of Great Britain and Ireland, to be used under such regulations and restrictions as may be deemed expedient by the president of the United States."

The resolution, thus modified, was rejected, 49 to 81.

§ 15. In connexion with the subject of the restrictive system, it may be proper here to notice a singular memorial which was presented to congress, in the beginning of January, by a black of the name of Paul Cuffee, of Westport, in the state of Massachusetts. The memorialist stated, that being a descendant of Africa, and early instructed in habits of sobriety and industry, he had become greatly interested in the labours of many pious individuals, both of this country and England, to produce a termination of the wrongs of Africa, by prohibiting the slave trade, and also to improve the condition of the degraded inhabi-

* Bills prohibiting the ransoming of vessels, and the other objects recommended in the embargo message, were in progress at the time of the repeal of the restrictive system, and fell with it.

tants, and that he had therefore conceived it a duty incumbent upon him, to give up a portion of his time and his property in visiting that country, and affording such means as might be in his power to promote the improvement and civilization of the Africans.

Under these impressions he had left his family, and with a sacrifice of both time and money visited Sierra Leona, and there gained such information of the country and its inhabitants, as enabled him to form an opinion of many improvements that appeared to him essential to the well being of that people. These he had had an opportunity of communicating to several distinguished members of the royal African Institution in London, and he had the satisfaction at that time to find that his recommendations were approved by the celebrated philanthropists the duke of Gloucester, William Wilberforce, Thomas Clarkson, William Allen, and others, and has since learned that the institution have so far acceded to his plans as to make some special provision to carry them into effect. One of these objects was to keep up an intercourse with the free people of colour in the United States, in the expectation that some persons of reputation would feel sufficiently interested to visit Africa, and endeavour to promote habits of industry, sobriety, and frugality, among the natives of that country.

The memorialist having communicated these views to the free people of colour in Baltimore, Philadelphia, New York, and Boston, they manifested a disposition to promote so laudable an undertaking, and several families, whose characters promise usefulness, have come to a conclusion, if proper ways could be opened, to go to Africa, in order to give their aid in promoting the objects already adverted to. The memorialist, therefore, solicited congress, to grant permission that a vessel might be employed (if liberty could also be obtained from the British government) between this country and Sierra Leona, to transport such persons and families as might be inclined to go, as also some articles of provision, together with implements of husbandry, and machinery for some mechanic arts, and to bring back such of the native productions of that country as might be wanted, as without a little aid from the trifling commerce of that country, the expence would fall too heavy on the memorialist and his friends.

The memorial was favourably received by the senate, and a bill was passed by that body, authorizing the president of the United States to permit the departure of Paul Cuffee from the United States with a vessel and cargo for Sierra Leona, and to return with a cargo.

In the house of representatives the bill was referred to the committee of commerce and manufactures, who, on the 9th of February, reported, that in their opinion it would be impolitic, at a time when the government of the United States has been compelled, from imperious necessity, to prohibit the coasting trade, to prevent the enemy from obtaining supplies of provisions, and thereby from keeping a considerable naval force on the coast of the United States, to relax the prohibitions of the embargo law, on the application of an individual, for a purpose which, how benevolently soever conceived, cannot be considered in any other light than as speculative; the efforts heretofore made and directed by the zeal and intelligence of the Sierra Leone company, having failed to accomplish the object designed by its institution. When exemptions from the operation of a law are made, the justice of which is not seen by every citizen, the wisdom of which is questionable, and the necessity of which is not palpably evident, discontent, if it did not exist, would be produced; and if it did exist, it would by such policy acquire expansion and vigour.

In what manner soever the act from the senate be contemplated, the committee saw difficulties which could not be overcome by any suggestions of their ingenuity. They, therefore, from this view of the subject, felt themselves constrained to recommend the rejection of the act.

On the 18th of March the house resolved itself into a committee of the whole on the bill and report, when a debate of considerable length took place, in which the bill was supported by Messrs. Wheaton, Grosvenor, Pickering, Taggart, Baylies, Webster, Farrow, Duval, and Shipherd, and opposed by Messrs. Newton, Wright, M'Kim, Kerr, Ingham, Fisk, of Vt. and Ingersoll.

The bill was supported on the ground of the excellence of the general character of Mr. Cuffee; the philanthrophy of his views; the benefits to humanity and religion generally of which a success in these views might be productive; the benefits which would result to the United States particularly, from the establishment of an institution which would invite the emigration of free blacks, a part of our population which we could well spare, &c. &c.

On the other hand, the bill was opposed on various grounds. Whilst the excellence of the general character of Mr. Cuffee was fully credited and generally admitted, it was said that the bill would violate, in favour of a foreign mission, that policy which we had refused to infringe for the sake even of our coasters and fishermen; that Mr. Cuffee might depart in neutral

vessels with his companions, but that it would be improper to permit him to carry out *a cargo*, which was not at all necessary to his views of propagating the gospel; that his voyage would be contrary to the policy of existing laws, independent of the embargo policy, because Sierra Leone was a British settlement; that as this was a British settlement, in the possession of a nation claiming and asserted to be the bulwark of our religion, there was no occasion for cargoes departing from the United States, to enable him to carry her views into effect, &c.

Intermingled in this debate was considerable controversy, and something like asperity as to the character of the British nation for religion and humanity, in which Mr. Pickering of Massachusetts, on the one side, and Mr. Kerr, of Virginia, and Mr. Fisk, of Vermont, on the other, were the principal debaters, and also on the evil which might result from transporting liberated slaves from this country to a British settlement. The question, however, appeared principally to turn on the expediency of permitting, under the existence of the restrictive system, a cargo to go out which must necessarily sail under British licence, which it was argued would not be granted unless it were considered advantageous to the interest of the enemy that such trade should be carried on.

The debate having been extended to the usual hour of adjournment, the committee reported the bill to the house with certain amendments, and on the question on the passage of the bill to a third reading, which was decided by yeas and nays, the vote was as follows:

For the bill	65
Against it	72

So the bill was rejected.

CHAPTER II.

§ 1. Bill for encouraging enlistments. § 2. Debate on its passage. § 3. Increase and organization of the army. § 4. The militia. § 5. Augmentation of the marine corps. § 6. Officers in the flotilla. § 7. Additional navy pay. § 8. Bounty for prisoners. § 9. Navy and privateer pensions. § 10. Purchase of the squadron captured on lake Erie. § 11. Tribute to valour. § 12. Increase of navy. § 13. Steam frigates.

§ 1. ONE of the most important objects that occupied the attention of congress this session, was the adoption of measures for filling the ranks and re-organizing the army establishment.

On the 10th of January Mr. Troup, of Georgia, from the committee on military affairs, reported a bill for encouraging enlistments, and authorizing the re-enlistment for longer periods of men whose terms of service were about to expire.

This bill enacted, that, in order to complete the present military establishment to the full number authorized by law, with the greatest possible dispatch, $124 should be paid to each effective able-bodied man who should enlist for five years or during the war at his election, in lieu of the bounty in money and of the three months' pay at the expiration of the service, now allowed by law; fifty dollars to be paid on enlistment, fifty on joining the regiment, and twenty-four on his discharge, which last sum was to be paid to his widow and children in case of his death in the service. A bounty of eight dollars was also to be paid to each person furnishing a recruit.

§ 2. The passage of this bill was opposed on a variety of grounds. The government, it was said, was conducting the nation to poverty and ruin. The public treasury has been exhausted, and the resources of the nation dried up in non-intercourse, non-importation, and embargo, and now the nation was involved in a war which was to be carried on at a most enormous expense, by means of loans. The expences of the war, it was said, from its commencement, and what will be incurred, in the prosecution of it, under the present arrangements, the ensuing year, will amount to not less than 100 million of dollars,—a monstrous debt, and one too which must be left as a legacy to our children.

This army, it was likewise urged, was not to be employed in the defence of the country, but in vain attempts to conquer the provinces of Canada. If the army was required for the protection of the country, and the safety of its citizens, and there

was reasonable ground to believe that the force, when raised, would be applied to yield that protection, no considerations of expence would induce an opposition to the measure. But what is the object of the bills? To what service is the army destined, when its ranks shall be filled? It is said that the frontier is invaded, and that troops are wanting to repel that invasion. It is too true that the frontier is invaded; that the war, with all its horrors, is brought within our own territories. But was it the purpose of government by this measure to provide defence for the frontiers? No. The rejection of the amendment limiting the service of the troops to objects of defence*, showed that this was not the purpose to be effected, but that the real object was to act over again the scenes of the two last campaigns.

The object of the war was said to be fruitless and unattainable. Sailors' rights was the pretended, the conquest of Canada the real object. Before the war, that conquest was represented to be quite an easy affair. The valiant spirits who meditated it, were only fearful lest it should be too easy to be glorious. And now what is the state of the case? With all the blood and treasure that have been expended, not one foot of Canada is in our possession, nay we are not even free from invasion ourselves.

The war was said to be an unpopular measure. While it was allowed that both its professed objects, and the manner of prosecuting it, had received the nominal approbation of the majority of the people, it was urged, that any inferrence from that circumstance in favour of the real popularity of the measure would be extremely fallacious. In times like these, it was said, a great measure of a prevalent party becomes incorporated with the party interest. To quarrel with the measure would be to abandon the party. Party considerations therefore induce an acquiescence in that on which the fate of party is supposed to depend. But party support is not the kind of support necessary to sustain the country through a long, expensive, and bloody contest; and this should have been considered, before the war was declared. The cause, to be successful, must be upheld by other sentiments, and higher motives. It must draw to itself the sober approbation of the great mass of the people. It must enlist, not their temporary or party feelings, but their steady patriotism, and their constant zeal. Unlike the old nations of Europe, there are in this country no dregs of population, fit only to supply the constant waste of war, and out of which an army can be raised, for hire, at any time and for any purpose. Armies

* An amendment to this effect had been offered by Mr. Sheffey, of Virginia, which was negatived by a considerable majority.

of any magnitude can here be nothing but the people embodied—and if the object be not one for which the people will embody, there can be no armies. It is too plain that the conquest of Canada is not such an object. The people do not feel the impulse of adequate motives, and thence, and thence alone, the necessity of offering such enormous bounties, which after all will prove unavailing.

The disasters of the American arms, it was said, have been attributed to the opposition. This is the fashionable doctrine both here and elsewhere. It is the constant tune of every weak or wicked administration. What minister ever yet acknowledged that the evils which fell on his country were the necessary consequences of his own incapacity, his own folly, or his own corruption? What possessor of political power ever yet failed to charge the mischiefs resulting from his own measures, upon those who had uniformly opposed those measures? The people of the United States may well remember the administration of lord North. He lost America to his country. Yet he could find pretences of throwing the odium upon his opponents. He could throw it upon those who had forewarned him of the consequences from the first, and who had opposed him, at every stage of his disastrous policy, with all the force of truth, and reason, and talent. It was not his own weakness, his own ambition, his own love of arbitrary power, which disaffected the colonies. It was not the tea act, the stamp act, or the Boston port bill, that severed the empire of Great Britain. Oh, no!—It was owing to no fault of administration. It was the work of opposition. It was the impertinent boldness of Chatham; the idle declamation of Fox; and the unseasonable sarcasm of Barre! these men, and men like them, would not join the minister in his American war. They would not give the name and character of wisdom to that which they believed to be the extreme of folly. They would not pronounce those measures just and honourable, which their principles led them to detest. They declared the minister's war to be wanton. They foresaw its end, and pointed it out plainly both to the minister and to the country. He pronounced the opposition to be selfish and factious. He persisted in his course, and the result is in his history.

Whoever would discover the causes, which have produced the present state of things, must look for them, not in the efforts of opposition, but in the nature of the war in which we are engaged, and in the manner in which its professed objects have been attempted to be obtained. Quite too small a portion of public opinion was in favour of the war, to justify it origi-

nally. A much smaller portion is in favour of the mode in which it has been conducted. This is the radical infirmity. Public opinion, strong and united, is not with you in your Canada project. Whether it ought to be, or ought not to be, the fact that it is not, should, by this time, be evident to all; and it is the business of practical statesmen, to act upon the state of things as it is, and not to be always attempting to prove what it ought to be. The acquisition of that country is not an object generally desired by the people. Some gentlemen indeed say it is not *their ultimate* object; and that they wish it only as the means of effecting other purposes. But a large portion of the people believe that a desire for the conquest and final retention of Canada is the main spring of public measures. Nor is the opinion without ground. It has been distinctly avowed by public men, in a public manner. And if this be not the object, it is not easy to see the connexion between your means and ends. At least that portion of the people, that is not in the habit of refining far, cannot see it. You are, you say, at war for maritime rights and free trade. But they see you lock up your commerce and abandon the ocean. They see you invade an interior province of the enemy. They see you involve yourselves in a bloody war with the native savages: and they ask you, if you have in truth a maritime controversy with the western Indians, and are really contending for sailors' rights with the tribes of the prophet.

The bills were also opposed on the ground of the incompetency of the administration to conduct the war to a successful issue. It was said that the administration deserved no credit on account of the navy, which was not an object of their creating, and that the military operations exhibited one connected series of disasters and defeats. The plan as well as the execution of both campaigns was wrong. The object was conquest, the means of the country were applied as if for defence. The army was scattered all along the frontier, from Detroit to Lake Champlain, and thus divided was so weak as not to present an efficient force at any given point. Instead of concentrating the army, and then seizing and fortifying a position which would have cut off the communication between the upper and lower provinces, by which the upper country would have fallen without a blow, the plan of operations had been to take Canada in detail, a plan no less cruel than weak.—If the event gives character to military operations, it was said, our men in power are totally unfit for a war administration. They have shown neither talent in projecting nor promptness

in executing; neither the boldness of enterprise, nor the dexterity of stratagem.

The principles that have been avowed in the progress of the war were also urged as a reason why this army should be denied to the administration. The proclamations of generals Smyth and Hull were cited as a stain on the nation, the first for offering a bounty of $200 for every captured horse, and $40 for the spoils of each dead Indian, the latter for his threats of commencing "a war of extermination" in case of the employment of the Indians, the owners of the invaded territories, the lords of the soil, who could not be expected to be idle spectators of operations having in view to take from them their privileges, their wigwams, their cornfields, and their hunting-grounds.

Mr. Webster, one of the ablest of the opposition members, thus concludes his speech on this subject:

"It is natural, sir, such being my opinion on the present state of things, that I should be asked what, in my judgment, ought to be done. In the first place, then, I answer, withdraw your invading armies, and follow councils which the national sentiment will support. In the next place, abandon the system of commercial restriction. That system is equally ruinous to the interests, and obnoxious to the feelings of whole sections and whole states. They believe you have no constitutional right to establish such systems. They protest to you that such is not, and never was, their understanding of your powers. They are sincere in this opinion, and it is of infinite moment, that you duly respect that opinion, although you may deem it to be erroneous. These people, sir, resisted Great Britain, because her minister, under pretence of regulating trade, attempted to put his hand into their pockets, and get their money. There is that, sir, which they then valued, and which they still value, more than money. That pretence of regulating trade they believed to be a mere cover for tyranny and oppression. The present embargo, which does not vex, and harass, and embarrass their commerce, but annihilates it, is also laid by colour of a power to regulate trade. For if it be not laid by virtue of this power, it is laid by virtue of no power. It is not wonderful, sir, if this should be viewed by them as a state of things not contemplated when they came into the national compact.

"Let me suppose, sir, that when the convention of one of the commercial states, Massachusetts for example, was deliberating on the adoption of this constitutition, some person, to

whose opening vision the future had been disclosed, had appeared among them.

"He would have seen there the patriots who rocked the cradle of liberty in America. He would have seen there statesmen and warriors, who had borne no dishonourable parts in the councils of their country and on her fields of battle. He would have found these men recommending the adoption of this instrument to a people, full of the feeling of independence, and naturally jealous of all governments but their own. And he would have found, that the leading, the principal, and the finally prevalent argument, was the protection and extension of commerce.

"Now, suppose, sir, that this person, having the knowledge of future times, had told them, 'this instrument, to which you now commit your fates, shall for a time not deceive your hopes. Administered and practised as you now understand it, it shall enable you to carry your favourite pursuits to an unprecedented extent. The increase of your numbers, of your wealth, and of your general prosperity, shall exceed your expectations. But other times shall arrive. Other councils shall prevail. In the midst of this extension and growth of commerce and prosperity, an embargo, severe and universal, shall be laid upon you for eighteen months.

"This shall be succeeded by non-importations, restrictions, and embarrasments of every description. War with the most powerful maritime nation upon earth, shall follow. This war shall be declared professedly for *your* benefit, and the protection of *your* interest. It shall be declared nevertheless *against* your urgent remonstrance. Your voice shall be heard, but it shall be heard only to be disregarded. It shall be a war for sailors' rights, against the sentiments of those to whom eight tenths of the seamen of the country belong. It shall be a war for maritime rights, forced upon those who are alone interested in such concerns.

"It shall be brought upon you by those to whom seamen and commerce shall be alike unknown—who shall never have heard the surges of the sea; and into whose minds the idea of a ship shall never have entered, through the eye, till they shall come from beyond the western hills, to take the protection of your maritime rights, and the guardianship of your commercial interests, into their skilful and experienced hands. Bringing the enemy to the blockade of your ports, they shall leave your coasts to be undefended, or defended by yourselves. Mindful of what may yet remain of your commerce, they shall visit you with another embargo. They shall cut off your intercourse of every description with foreign nations. This not only —they shall cut off your intercourse of every description by water

with your sister states. This not only—they shall cut off your intercourse of every description by water between the ports of your own states. They shall seize your accustomed commerce, in every limb, nerve, and fibre, and hold it as in the jaws of death.'

"I now put it to you, sir, whether, if this practical administration of the constitution had been laid before them, they would have ratified it? I ask you, if the hand of Hancock himself would not sooner have committed it to the flames? If then, sir, they did not believe, and from the terms of the instrument had no reason to believe, that it conferred such powers on the government, then I say, the present course of its administration is not consistent with its spirit and meaning.

"Let any man examine our history, and he will find that the constitution of the country owes it existence to the commerce of the country. Let him enquire of those who are old enough to remember, and they will tell it to him. The idea of such a compact, as is well known, was first unfolded in a meeting of delegates from different states, holden for the purpose of making some voluntary agreements respecting trade, and establishing a common tariff. I see near me an honourable and venerable gentleman (Mr. Schureman, of New Jersey), who bore a part in the deliberations of that assembly, and who put his hand to the first recommendation ever addressed to the people of these states, by any body of men, to form a national constitution. He will vouch for the truth of my remark. He will tell you the motives which actuated him and his associates, as well as the whole country at that time. The faith of this nation is pledged to its commerce, formally and solemnly. I call upon you to redeem that pledge; not by sacrificing, while you profess to regard it; but by unshackling it, and protecting it, and fostering it, according to your ability, and the reasonable expectations of those who have committed it to the care of government. In the commerce of the country, the constitution had its birth. In the extinction of that commerce it will find its grave. I use not the tone of intimidation or menace, but I forewarn you of consequences. Let it be remembered, that in my place this day, and in the discharge of my public duty, I conjure you to alter your course. I urge to you the language of entreaty. I beseech you, by your best hopes of your country's prosperity; by your regard for the preservation of her government and her union—by your own ambition as honourable men, of leading hereafter in the councils of a great and growing empire—I conjure you, by every motive which can be addressed to the mind of man, that you abandon your system of restrictions—that you abandon it at once—and abandon it for ever.

"The humble aid which it would be in my power to render to measures of government, shall be given cheerfully, if government will pursue measures which I can conscientiously support. Badly as I think of the original grounds of the war, as well as of the manner in which it has been hitherto conducted, if even now, failing in an honest and sincere attempt to procure just and honourable peace, it will return to measures of defence and protection, such as reason and common sense, and the public opinion all call for, my vote shall not be withholden from the means. Give up your futile projects of invasion. Extinguish the fires which blaze on your inland frontiers. Establish perfect safety and defence there by adequate force. Let every man that sleeps on your soil sleep in security. Stop the blood that flows from the veins of an armed yeomanry, and women and children. Give to the living time to bury and lament their dead in the quietness of private sorrow. Having performed this work of beneficence and mercy on your inland border, turn and look with the eye of justice and compassion on your vast population along the coast. Unclench the iron grasp of your embargo. Take measures for that end before another sun sets upon you. With all the war of the enemy on your commerce, if you would cease to war on it yourselves, you would still have some commerce. That commerce would give you some revenue. Apply that revenue to the augmentation of your navy. That navy in turn will protect your commerce.

"Let it no longer be said, that not one ship of force built by our hands since the war yet floats upon the ocean. Turn the current of your efforts into the channel which national sentiment has already worn broad and deep to receive it. A naval force competent to defend your coast against considerable armaments, to convoy your trade, and perhaps raise the blockade of your rivers, is not a chimera. It may be realized. If, then, the war must continue, go to the ocean. If you are seriously contending for maritime rights, go to the theatre where alone those rights can be defended.—Thither every indication of your fortune points you. There the united wishes and exertions of the nation will go with you. Even our party divisions, acrimonious as they are, cease at the water's edge. They are lost in attachment to national character, on that element, where that character is made respectable. In protecting naval interests by naval means, you will arm yourselves with the whole power of national sentiment, and may command the whole abundance of the national resources. In time you may enable yourselves to redress injuries, in the

place where they may be offered, and, if need be, to accompany your own flag throughout the world, with the protection of your own cannon."

On the other hand, the supporters of the bills contended that the character given to the war by their political opponents, which constituted the basis on which they rested their justification, was totally without foundation. What, asked they, constitutes an offensive war? Not, surely, the *mode* of carrying it on, which is an immaterial circumstance, but the *motive* and cause which led to it. If it has its origin in ambition, avarice, or any of the like passions, then it is offensive; but if, on the contrary, to repel insult, injury, or oppression, it is of an opposite character, and is defensive. If this distinction be correct, if the two species of war are distinguishable by their *cause* and *motive*, then the aversion of the American people to the one, and their approbation of the others, is no longer a mystery; it is founded in the nature of things. But if, on the contrary, it is true that they are distinguished by the mere accidental circumstance of the *mode* of carrying them on, that the scene of action should make them the one or the other, then the feelings of this country, by which it condemns or approves of either species, is a profound mystery, never to be explained. In this point of view, then, what is the character of the war in which we are now engaged? Was it dictated by avarice or love of conquest? The opposition have already decided that it was not. When Mr. Webster's resolutions were under discussion at the last session, it was repeated till the ear was fatigued, by every one on that side of the house that took any part in the debate, that if the repeal of the Berlin and Milan decrees had been communicated in time to the British government, the orders in council would have been repealed; and had the last event happened, the war would not have been declared. They then have acknowledged, that the orders in council, and not the conquest of Canada, as they now pretend, was the cause of the war; and it would be idle to enquire whether to resist them was in its nature offensive or defensive. It would be to enquire whether they were or were not an injury to our commerce; a point never denied by the most obstinate debater. It would be equally idle to examine whether the cause of continuing the war, to protect our seamen from impressment, is of an offensive or defensive character.

The character of the war in its origin and continuance being thus established, does a defensive become an offensive war by being carried beyond the limits of our territory? On this point

also, it was said, let us examine the sentiments of the opposition. What have they advised as to the mode of carrying on the war? Withdraw your troops from Canada, reduce your army, and limit your operations to the ocean. What! to the ocean! Carry the war beyond our own territory! make it offensive! The gentlemen surely do not intend to support an offensive war. To use their own language, it is too immoral for a virtuous and religious people. It is then admitted, that it does not cease to be offensive by its being waged at sea; how then can the carrying it into Canada change its character?

The war in Canada, it was urged, was the best security to every part of our country. We have a very extended, and, from the thinness of the population, in many places weak sea coast, many points of which are, and must from necessity be, without efficient protection. Now how did it happen that this coast, so easily assailed by a maritime power, has sustained little or no damage, in a war that has continued upwards of eighteen months? The scheme of Mr. Sheffey, to confine our troops to the defensive, should it succeed, would the next summer amply explain the fact. The truth is, that the war in Canada is the security of the coast. It compels the enemy to concentrate the whole of his disposable force there for the defence of his own territory. Were the absurd policy to be adopted to confine the operation of our troops within our own limits, the whole of the enemy's force in Canada would be liberated from its defence, and the entire line of our sea coast menaced with destruction. The enemy, masters on the ocean, could act with such celerity, that it would be either impossible to defend ourselves, or it must be done at an expense greater than would be necessary to reduce his possessions. Thus, even under the limited view of defence, the most effectual mode is that which has been adopted—to carry the war into the enemy's country.

The repeated failure of our arms was admitted. They have failed, it was said, repeatedly, and almost unaccountably. But have not the arms of England been as often and as signally reversed? It is now more than a century since England has been striving to become a considerable military power—and what has been her fate? Look to Flanders, to Holland, to Walcheren during the present war—without recurring further back—to Portugal, to Spain. Where have they not been defeated and disgraced? Till finally, after three years of continued overthrows and failures in Spain, they have at last been beaten by their masters in the military art into an equality with those masters. Our present misfortunes in the field are the natural

result of thirty years of peace and prosperity—thirty years of total neglect of every thing like military science or acquirement. The knowledge of war is not to be obtained in a day, nor through any theory. If labour, mortification, and constancy are indispensible to the mastery of any art, surely they must be, and be expected to be, in that of military affairs. How was it, when, soon after the organization of the present government, an attempt was made to subdue the Indians on our borders, when general Washington was the president, gen. Knox at the head of the war department, and generals Harmer, St. Clair, and Wayne the commanders of the several expeditions? The two former were entirely unsuccessful: nor was it until the third attempt was made, that, with all the supposable advantages of such an administration, this petty foe was ultimately overcome.

But the conquest of Canada is said to be unpopular; and that is the reason why it fails; that is the reason why it will never succeed. As a separate *cause* of war, that might be the case; but certainly not when viewed as an instrument for waging war effectually, and as a desirable acquisition in the course of its prosecution.

Canada was also said to be worthless when acquired. In all our views of this subject, we ought to take into consideration what it cost England to wrest it from France, how many disastrous campaigns succeeded each other, when the whole population of the New England states was embodied for the conquest, under the most experienced military men Great Britain could place at their head; how they nevertheless failed year after year, till Wolfe at last achieved it. And when he had achieved it, what said the English nation of its worth?—Turn to her history; ask the annals of the times. They will tell you that the acquisition was accounted a rich indemnity for all the blood and all the treasure it had cost. They will inform you that the English deemed it a prize inestimably valuable.

Have gentlemen forgot the first blow of the war of the revolution, even before the declaration of independence, was aimed at Canada? when gen. Washington sent col. Arnold to penetrate with his detachment through the district of Maine, while general Montgomery advanced to the co-operation by another route? The course and termination of that expedition are familiar to every body. Gen. Montgomery fell in the attack on Quebec, after the subjugation of Montreal, and when the conquest of the province was so near its accomplishment. Several years after this invasion, in the year 1779, that congress, whose constancy, patriotism, and talents cannot be too much applauded, made every arrangement preparatory to a second incursion.

The marquis La Fayette was sent into the state of New York to take the preliminary measures; and the design was finally suspended for reasons which it is not now essential to enumerate. Many years succeeding this period, at the adoption of the federal constitution, a clause was placed in that instrument, as is well known, for the express purpose of making adequate provision for the future incorporation of the Canadas, at any time, into the union.

What, it was asked, were the nature of the proclamations of Hull and Smyth, which had been cited as a stain on the country? The first had given an admonitory caution to the Canadians not to be accessory with the savage in the murder of his fellow-citizens, and the latter had offered, as alleged, $40 for the spoils of every red man slain. Ask the only survivor of a family indiscriminately murdered in their beds, from the infant on the breast to the aged grandsire, how heinous the crime must be to offer $40 for the arms and spoils of the savage murderer!

How, it was asked, does the averment of Mr. Webster, that the present war has not added a single ship to our navy, agree with the fact? Ships of the line are in the process of construction. Several frigates and sloops of war are also in progress, some of which are nearly finished. Large ships are not the creation of a day; but as much industry has been exerted upon those now building as could be of any use. The assertion, however, was the more surprising when the conquest of Canada was his topic, and when, therefore, the lakes should have been full in his view. The ships with which commodore Chauncey conquered the command of lake Ontario are the production of the present war, and so are those with which commodore Perry obtained his transcendant victory, unparalleled by any achievement on the high seas.

The opposition had attempted to prove that the party now in power was not a majority of the country, and contended that the representation in congress furnished no evidence of that fact. Many, it had been said, who are opposed to the war, were from party motives induced to vote for those in favour of it. This argument was very fallacious; but even admitting it to be well founded, does it not apply to the minority as well as to the majority? Until some reason be assigned why it does not, the majority in congress must be considered as representing a majority of the nation.

The minority had attempted to justify their opposition to the war and the policy of the country, by assuming as a fact, that opposition is in its nature harmless, and that the calamities which

have afflicted free states have originated in the blunders and the folly of the government, and not from the perverseness of opposition. In confirmation of this doctrine, they quote the conduct of Chatham, Burke, and Fox, who opposed the British government at the time of the American revolution. But a candid examination, it was urged, of the conduct of those gentlemen would totally overset these premises.

When they advocated the cause of America, we were the colonies of the British empire, humbly petitioning for a redress of grievances, to which these men conceived we were justly entitled; and while our object was limited to their redress, they were our advocates; but as soon as independence was declared —what was their conduct and how was the scene reversed? Chatham, the great American advocate while a redress of our grievances was the object, after the declaration of independence, and in his last speech in parliament, exhausted himself in his denunciations against us as rebellious colonies, and for a vigorous prosecution of the war against us, until we were humbled at the foot of the throne.

Mr. Calhoun, of South Carolina, entered into an examination of this doctrine, at considerable length, with an abstract of which we shall conclude the debate on this subject.

Opposition, said he, simply implies contrariety of opinion; and, when used in the abstract, it admitted neither censure nor praise. It is not from itself, but from the connected circumstances, that it derives its character. When it is simply the result of that diversity in the structure of our intellect, which conducts to different conclusions on the same subject, and is confined within those bounds which love of country and political honesty prescribe, it is one of the most useful guardians of liberty. It excites gentle collision, prompts to due vigilance, a quality so indispensable, and at the same time so opposite to our nature, and results in the establishment of an enlightened policy and useful laws. Such are its qualities when united with patriotism and moderation. But in many instances it assumes a far different character. Combined with faction and ambition, it bursts those limits within which it may usefully act, and becomes the first of political evils. A factious opposition is compounded of such elements, that no reflecting man will ever consider it as harmless. The fiercest and most ungovernable passions of our nature, ambition, pride, rivalry, and hate, enter into its dangerous composition; made still more so by its power of delusion, by which its projects against government are covered, in most instances, even to the eyes of its victims, by the specious show of patriotism. Thus constituted, who can estimate its force?

Where can benevolent and social feelings be found sufficiently strong to counteract its progress? Is love of country? Alas! the attachment *to a party* becomes stronger than that to *our country*. A factious opposition sickens at the sight of the prosperity and success of the country. Common adversity is its life; general prosperity its death. Nor is it only over our virtuous sentiments that this bane of freedom triumphs. Even the selfish passions of our nature, planted in our bosom for our individual safety, afford no obstacle to its progress.

This kind of opposition, continued he, has ever proved the most deadly foe to freedom. Nor is it then only dangerous when it breaks forth into treason and rebellion. Without resort to violence, it is capable in a thousand ways to counteract and deaden all of the motions of government, to render its policy wavering, and to compel it to submit to schemes of aggrandizement on the part of other governments, or, if resistance is determined on, to render it feeble and ineffectual. Do gentlemen ask for instances? Unhappily they are but too numerous. Where shall they not be found? Admired and lamented republics of antiquity! Athens, Carthage, and Rome, you are the victims and witnesses of the fell spirit of factious opposition! Fatal fields of Zema and Cherona, you can attest its destructive cruelty! What is the history of Polybius, and that of the other historians of the free states of antiquity? What the political speeches of Cicero, and the orations of Demosthenes, those models of eloquence and wisdom, but volumes of evidence attesting that an opposition founded in faction, unrestrained by moderation and a regard to the general welfare, is the most dangerous of political evils. Nor does antiquity alone testify. The history of modern times is pregnant with examples. What, he would ask, have become of the free states of modern Italy, which once flourished in wealth and power—Florence, Genoa, Venice, and many others? What of the United Provinces and Switzerland? Gone; perished under the deadly feuds of opposition. Even England, with her deep-rooted and powerful executive, has not been free from its pernicious effect. What arrested the war of Marlborough when France was so humbled, that had it been continued Europe might have been free from the danger which she has experienced from that power? What stayed the conquering hand of Chatham, when before his genius and power the throne of the Bourbons trembled to its centre? The spirit of factious opposition, that common cause of calamity, that without which liberty might be eternal and free states irresistable.

But has the opposition, continued Mr. Calhoun, made any progress in this country to so dangerous a state? He feared there were appearances which would justify such a belief. One of its most natural symptoms, was a settled and fixed character, which, as its object was to embarrass and weaken government, lost no opportunity to throw impediments in the way of every measure. It had two other concomitants: the one a violence and vehemence not warranted by any considerations of expediency; and the other urging of measures, which, if adopted, must lead to national ruin. It seemed to him that there were reasons to believe that the whole of these existed in the present opposition. Is it not settled and fixed? In an unexampled state of national difficulties, from the first belligerent decree against our neutral commerce down to this day, he would ask, which one of all the measures of our government to resist this almost universal depredation, that has not, under one pretext or another, been opposed, ridiculed, and weakened? Yes, opposed with a violence that would lead to a belief that the constituted authorities, instead of opposing the most gross and outrageous injustice, sought only the destruction of their country. Again, what have been the measures that the opposition has virtually urged? What is it at this moment? Withhold the laws; withhold the loans; withhold the men who are to fight our battles; or, in other words, destroy public faith, and deliver the country unarmed to the mercy of the enemy. Suppose all of their objects accomplished, and what would be the situation of the country? He appealed to the people for a decision. But, say the gentlemen on the other side of the house, what right have we to object? the constitution justifies and secures them in opposition to the measures of government. They claim to be not only above laws, but beyond animadversion. It is in their eyes fair and proper that the majority, who act under the undoubted and express sanction of the constitution, should be subjected to every species of abuse and impediment; but should any one question the right or the expediency of the opposition, we hear an immediate cry of oppression. For his part, he thought that a fair and moderate opposition ought at all times to be respected; but that our constitution authorized that dangerous and vicious species, which he had attempted to describe, he utterly denied. He called on those who made the claim to so extravagant a power to point out the article of that instrument which would warrant such a construction. Will they cite that which establishes the liberty of speech here? Its object was far different; and it furnishes not the shadow of such a power. Will they rely on its general spirit? It knows no object but the general

good, and must for ever condemn all factious opposition to measures emanating from its own authority.

The bill finally passed both houses with the usual majorities.

§ 3. A number of other acts were passed during the session for the increase and better organization of the army. The president was authorized to re-enlist the fourteen regiments of twelve months men; to raise three additional regiments of riflemen; and to receive such proportion of the volunteers already authorized as he might think necessary, into the service of the United States; all of whom were to engage for five years or during the war, and to receive the same bounty, pay, &c. as the regular troops of the United States. The act for raising ten additional companies of rangers was also continued in force for another year. The three regiments of artillery were formed into one corps, and organized into twelve battalions, and the two regiments of light dragoons were formed into one. For the purpose of avoiding unnecessary expences in the military establishment, the president was authorized, in case of failure of filling the rank and file of any of the regiments, to consolidate such as should be deficient, and discharge all supernumerary officers, allowing to each three months pay in addition to the mileage formerly authorized by law.

An act was likewise passed fixing the salary of the paymaster of the army at $ 2000 per annum, in lieu of the monthly compensation formerly allowed; an additional appropriation of $ 5547 was made for clerk hire and contingent expences of his office for the present year. The president was also authorized to appoint thirty district paymasters.

§ 4. Two acts were passed respecting the militia. The first regulated courts-martial, and fixed the pay of some additional officers. It also provided, that the expenses incurred in marching the militia to their places of rendezvous, in pursuance of the requisition of the president, or in cases of calls made by the proper state authority which should be approved of by him, should be paid by the United States. The second act directed the appointment of a division inspector and a division quartermaster to each division, and an aid-de-camp to each brigade, in addition to the militia officers authorized by former laws.

§ 5. An augmentation of the marine corps was also authorized, not to exceed one major, fourteen captains, twelve first and twenty second lieutenants, sixty-one serjeants, forty-two drums and fifes, and 696 privates. The president was authorized by the same act to confer brevet rank on such officers of the marine corps as should distinguish themselves by gallant actions or meritorious conduct, or who should have served ten

years in any one grade. The officers so brevetted, however, are not to be entitled to any additional pay or emoluments, except when commanding separate stations or detachments, when they are to receive the same pay and emoluments as officers of the same grade.

§ 6. The president was authorized to appoint four captains and twelve lieutenants to be employed in the flotilla service, without rank in the navy, but with the same relative rank and authority in the flotilla service as officers of the same grade are entitled to in the navy. The captains are to receive the pay and subsistence of a captain in the navy commanding a ship of twenty and under thirty-two guns, and the lieutenants the same pay and subsistence as officers of the same rank in the navy.

§ 7. An addition was made to the pay, &c. of the officers of the navy, the pay and bounty of the seamen and marines to be fixed, as heretofore, by the president, who was by the act authorized to make an addition, not exceeding 25 per cent. to the pay of the officers and men engaged in any service liable to peculiar hardships or disadvantages*.

§ 8. The bounty for each prisoner brought in by privateers was raised to $ 100. This at first met with opposition in the house of representatives, but on its being stated that it was principally for the purpose of relieving our citizens from captivity, the opposition was withdrawn. A section giving a bounty for every vessel sunk or destroyed was stricken out by the senate.

§ 9. An act was passed granting pensions to the widows and orphans of persons slain on board of the public and private vessels of the United States; the former from the navy pension fund, the latter from the privateer pension fund. These pensions to continue for five years, and to consist of half the monthly pension to which the deceased would have been entitled for the highest rate of disability. The pension is granted to the widow, and, in case of her death or intermarriage, to the children of the deceased. By a subsequent act, the officers and seamen of revenue cutters wounded in discharge of their duty while cooperating with the navy, by order of the president, are entitled to pensions from the navy pension fund.

§ 10. Two hundred and fifty-five thousand dollars were appropriated for the purchase of the British squadron captured on Lake Erie, and $ 5000 was granted to captain Perry, in addition to the share of the prize-money allowed him by law. The reason of this additional grant was, that captain Perry, although

* For the pay and subsistence of the officers of the navy, see p. 20.

in fact commander of the fleet on Lake Erie, would, according to the construction given to the law, only be entitled to his share as commander of the particular vessel on board of which he fought.

§ 11. Towards the commencement of the session several resolutions were passed, expressive of the sense of congress of the gallant conduct of our naval officers and seamen. The thanks of congress were presented to captain Oliver Hazard Perry, and through him to the officers, petty officers, seamen, marines, and infantry serving as such, attached to the squadron under his command, for the decisive and glorious victory gained on Lake Erie on the 10th of September, 1813, over a British squadron of superior force.

The president was requested to cause gold medals to be struck, emblematical of the action between the two squadrons, and to present them to captain Perry and captain Jesse D. Elliot; and the president was further requested to present a silver medal, with suitable emblems and devices, to each of the commissioned officers either of the navy or army serving on board, and a sword to each of the midshipmen and sailing masters who so nobly distinguished themselves on that memorable day.

A silver medal, with like emblems and devices, was also voted to the nearest male relative of lieutenant John Brooks of the marines, and a sword to the nearest male relative of midshipmen Henry Laub and Thomas Claxton, junior; and the president was requested to communicate to them the deep regret which congress feel for the loss of those gallant men, whose names ought to live in the recollection and affection of a grateful country, and whose conduct ought to be regarded as an example to future generations.

Three months pay, exclusively of the common allowance, was voted to all the petty officers, seamen, marines, and infantry serving as such, who so gloriously supported the honour of the American flag under the orders of their gallant commander on that signal occasion.

The president was requested to present to the nearest male relative of lieutenant William Burrows, and to lieutenant Edward R. M'Call, of the brig Enterprize, a gold medal, with suitable emblems and devices; and a silver medal, with like emblems and devices, to each of the commissioned officers, in testimony of the high sense entertained by congress of the gallantry and good conduct of the officers and crew in the conflict with the British sloop Boxer, on the 4th of September, 1813. And the president was also requested to communicate to the nearest male relative of lieutenant Burrows, the deep regret which con-

gress feel for the loss of that valuable officer, who died in the arms of victory, nobly contending for his country's rights and fame.

The president was also requested to present to the nearest male relative of captain James Lawrence, a gold medal, and a silver medal to each of the commissioned officers who served under him in the sloop of war Hornet, in her conflict with the British vessel of war the Peacock, in testimony of the high sense entertained by congress of the gallantry and good conduct of the officers and crew in the capture of that vessel; and the president was also requested to comm unicate to the nearest relative of captain Lawrence the sense which congress entertains of the loss the naval service of the United States has since sustained in the death of that distinguished officer.

§ 12. A bill passed the house of representatives, authorizing the president to build or purchase a number of small armed vessels, but it was postponed by the senate till next session.

§ 13. Five hundred thousand dollars were appropriated for building, equipping, and putting into service one or more floating batteries, of such magnitude and construction as shall appear to the president best adapted to attack, repel, or destroy any of the enemy's vessels approaching our shores or entering our waters. These batteries are to be navigated by steam, agreeably to a model presented by Mr. Robert Fulton, which was highly recommended by a number of our most distinguished naval officers.

CHAPTER III.

§ 1. Treasury report. § 2. Eppes' introductory speech on the loan bills. § 3. Pitkin's reply. § 4. Arrangement of the debate on the loan bill. § 5. Finances of the union. § 6. Causes of the war, and justice of its continuance. § 7. Naturalization and allegiance. § 8. Offensive and defensive war. § 9. Rights and duties of opposition. § 10. Treasury note bill.

§ 1. The annual report* from the secretary of the treasury, was laid before the house of representatives on the 10th of January, from which it appears, that the monies actually received into the treasury, during the year ending September 30, 1813, amounted to $ 37,544,954 93
Balance in the treasury, October 1, 1812 2,362,652 69

39,907,607 62

Payments for same period 32,928,855 19
Balance in the treasury, October 1, 1813 6,978,752 43

39,907,607 62

In the above statement of receipts is included nearly twenty-four millions of dollars arising from loans and treasury notes.

The accounts for the fourth quarter of 1813, had not been made up at the treasury, but the receipts and expenditures would reduce the balance in the treasury on the 31st of December, to about $ 4,685,112 95.

The expenditures for 1814 are estim ated as follows:

Civil, diplomatic, and miscellaneous expences	1,700,000
Reimbursement of principal and interest of public debt	12,200,000
Military establishment	24,550,000
Navy	6,900,000
	$ 45,350,000

The ways and means for defraying which are estimated at

* See the report at large among the congressional state papers.

Customs and sales of public lands		$ 6,600,000
Internal revenues and direct tax		3,500,000
Balance of the loan still to be received		3,650,000
Balance of treasury notes already authorized		1,000,000
Of the balance in cash in the treasury, amounting to about	$ 4,680,000	
There will be required to satisfy appropriations made prior but still undrawn	3,500,000	
		1,180,000
		16,000,000
So that there remains to be provided by loans		29,350,000
		$ 45,350,000

In borrowing this sum it was recommended by the acting secretary to leave the executive a discretionary power as to the amount to be borrowed upon stock or upon treasury notes, that the one or the other might be resorted to within prescribed limits, as should be found most advantageous.

The plan of finance proposed at the commencement of the war was to make the revenue equal to the expenses of the peace establishment, and of the interest of the old debt and war loans; and to defray the extraordinary expences of the war out of the proceeds of new loans.

The expences of the peace establishment are about	7,000,000
Interest of old and new debt, including that estimated for 1814,	5,050,000
	12,050,000
The receipts from the revenues now established are estimated for 1814 at	10,100,000
Balance in the treasury	1,180,000
Making together	11,280,000
Leaving to be provided new revenues capable of producing	770,000
	12,050,000

Several circumstances, however, rendering it doubtful, whether the surplus of the revenues for 1815 would not exceed the deficiency for 1814, the acting secretary submitted

it to the consideration of congress, whether it would be necessary at present to establish new and additional revenues.

The report, after being read, was referred to the committee of ways and means, who reported, on the 1st of February, by their chairman, Mr. Eppes, of Virginia, a bill authorizing a loan of — millions, and a bill authorizing the issuing of treasury notes for the service of the year 1814.

§ 2. The loan bill was taken up on the 9th, when *Mr. Eppes* rose to move to fill the blank in the bill, and to state the reasons for its amount. Having made a statement of the estimated receipts and expenditures for 1814, similar to that laid before the house by the secretary of the treasury, he proposed to meet the estimated deficiency by a loan for twenty-five millions, and treasury notes for five millions, making together thirty millions of dollars, leaving a surplus of $ 650,000 over the secretary's estimated deficiency.

The estimate for the military department being made on the full complement of 63,422 officers and men for the year, and one month having already expired, it is presumed, said Mr. Eppes, that a deduction from the expences of the military department may be made, sufficient to cover the additional bounty recently authorized, and that 650,000 dollars will be sufficient to meet any other expence which may be authorized during the present session of congress.

Mr. Eppes now made a statement of the increase of the debt during Mr. Madison's administration, tending to show that the amount was much smaller than was generally supposed. From this statement it appears, that the principal borrowed, including the premium paid by way of annuity or discount amounted to $ 44,336,677 51

The principal paid to 23,554,785 08

Making the actual increase $ 20,781,892 43

It may, perhaps, said Mr. Eppes, be expected that something should be said on the present occasion as to the prospect of obtaining a loan. In proportion as you increase the sum to be borrowed you will always increase the difficulty of obtaining money. The quantum in market, whether specie or stock, will always have an important bearing on the value of the article. The ability of a community to lend must depend on its income, or on the value of its productive industry and its circulating medium. What is that amount in the United States?

The improved land, on which the direct tax under the act of 1798 was collected, was 163,476,686 acres, and valued at

that time at $ 479,293,253, rather more than three dollars per acre. It is presumed the same land may now be averaged at six dollars per acre, which will give

For the valuation of improved land	982,480,000
The dwelling houses under the same act were valued at dollars 140,683,984. They may now with safety be estimated at double that sum	280,000,000
The unimproved lands, after deducting all the claims on them, amount to 400,000,000, at two dollars	800,000,000
The other personal property, including slaves, is estimated at	300,000,000
The capital embarked in commerce previous to the war, allowing for exports and imports	100,000,000
The bank capital at present amounts to	75,000,000
Turnpike, canal, toll bridge, and insurance stocks, &c.	30,000,000
Total	$ 2,567,480,000

The income arising on this capital may be estimated as follows:

Profit on improved land, two per cent. on 982,480,000	19,649,600
On personal property, including dwelling houses, 580,000,000, at 4 per cent.	23,200,000
15 per cent. on the capital employed in commerce	15,000,000
8 per cent on 75,000,000—the amount of bank capital	6,000,000
Turnpike, canal, insurance, and other stock, six per cent. on 30,000,000	1,800,000
Product of all other occupations, including manufactures, as stated in the last census	172,000,000
Total	$ 237,649,600

In the year 1798, the whole value of the annual produce of the industry of the United States was estimated, by an able and intelligent writer, on a population of 4½ millions, at 37½ millions sterling, or 168,000,000 of dollars*. According to the same estimate for our present population it would be 300 millions. This estimate would be 63,000,000 above what

* Vide Cooper's Political Arithmetic, 47.

I have rated it at, and induces me to repose some confidence in the estimate I have made.

The writers on political economy differ as to the proportion between the amount of the circulating medium and the productive industry. Their calculations vary from $\frac{1}{6}$ to $\frac{1}{30}$; one 30th, the minimum of Smith, on 237,845,600, would give something more than 7,000,000 of dollars for the necessary circulation of the United States; his maximum, one 5th, would give something more than 47,000,000 dollars. If then 47,569,120 dollars is sufficient for the actual circulation, the whole of the circulating medium above that sum might be locked up or drawn from circulation without producing inconvenience or pressure. But money borrowed by the government is not drawn from circulation, but is instantly thrown back on the community, and becomes a part of the general circulation.

The question then is, what is the amount of circulating medium? The bank capital has been stated at 75,000,000; on this capital we may calculate with safety on a circulation in notes and discount of 100,000,000. From this sum deduct 47,569,120 dollars, the maximum of what is deemed necessary for circulation, and the sum remaining, viz. 52,430,880, constitutes the ability of the monied capitalists to loan—of this sum we propose to borrow 30,000,000.

Having shewn the ability to lend, the only question remaining is, will it be interest of those who hold the monied capital to advance it to the government? A monied capitalist will always pursue his interest. In deciding this question, the calculation will be made on peace or war. No prudent man will loan his money without taking into view both these events. In the event of peace an immediate rise in the price of stock affords a certain prospect of profit. As an investiture of money it is more safe than in banks, inasmuch as individuals may fail and the nation cannot. For a merchant whose capital, in consequence of the present situation of the country, is withdrawn from commerce, it is a better investiture than in manfactures. The money invested in manufactures cannot be withdrawn without loss on the sale of the buildings and machinery necessary for carrying them on. The stock, however, of the United States could at once be converted into money at considerable profit, and his capital again restored to its former channel. If therefore peace shall take place, to which I confess I look forward with some degree of confidence, the present loan combines all the advantages of 'safety,' 'profit,' and a command at will of the capital invested. If, on the

contrary, these expectations shall be disappointed, and the war continue, our limited commerce must leave unemployed a large surplus capital. It is true that the increasing demand for our own manufactures may afford employment for a part of this capital. To those however who have formed commercial habits, and look forward to resuming their accustomed occupations, such an employment of capital cannot be desirable. The stability of our credit, founded on a punctual compliance with our engagements, must be gratifying to every American. During 27 years, the faith of the nation has never been questioned--our credit has grown with our strength—our resources are ample—to bring them into action requires nothing but union and energy.

§ 3. *Mr. Pitkin*, of Connecticut, followed Mr. Eppes, and brought forward a variety of statements from the public documents furnished by the treasury department, in order to show the great expense of the present war, and the enormous debt with which it would saddle the country. He also entered into a comparative statement of the expenses of government during the administrations of Washington, Adams, Jefferson, and Madison, in order to show that the extravagant expenditures of the two former, but especially of Adams', about which so much had been said, were "trifles light as air," compared with those of the two latter.

From these treasury statements, it appears, that the expenses of the government for 1812, 1813, and 1814 will amount, exclusive of the payments on account of the public debt, to nearly seventy-nine millions of dollars. From the same documents it appears, that the expenses of government (exclusive of the public debt) during ten years of peace in Jefferson's and Madison's administrations, exceeded the expenses for the same objects, during the twelve years administration of Washington and Adams, by upwards of six millions of dollars, even after deducting the monies paid under the Louisiana convention and British treaty. They also shewed that the expense of the military establishment during the first year of this war, was greater than the expenses of government (exclusive of the public debt) during the whole of Washington's administration; that the expense of the war, at the close of the present year, will exceed the whole expenditure of Washington's administration by upwards of sixty millions and a half of dollars, and that of Adams' by about fifty-five millions and a half; that the debt incurred in consequence of the war, at the end of 1814, would amount to upwards of sixty-seven millions, which added to the amount of the old debt would

make an aggregate of upwards of a hundred and seven millions of dollars*.

The amount of the circulating medium, Mr. Pitkin contended, had been greatly overvalued in Mr. Eppes's statements. He was satisfied, he said, that the amount of bank notes in circulation did not exceed thirty millions of dollars; the idea of bank discounts forming a part of the circulating medium, he treated as a novelty which would be found to be perfectly illusory. Many have supposed, said Mr. Pitkin, that banks could issue notes to an almost unlimited extent, and that they had generally done it to an amount far beyond their capital. This idea is, however, a very erroneous one. A certain quantity of circulating medium is necessary in every country, for its various commercial transactions, and to facilitate an interchange of the products of its industry. This quantity increases with the increased wealth and resources of the country; but whether it consists in specie or in bank notes, it can never exceed the amount which is necessary for the objects for which it is required. The late bank of the United States, with a capital of ten millions, and with an average deposit of five millions more, and whose bills had a general currency, and were receivable for all debts due the United States, could not, for many years, keep in circulation, on an average, more than about five millions of bank notes. This was about 50 per cent. of the amount of their capital. We cannot therefore calculate, that the present state banks, taken together, can circulate bills to a greater amount than 50 per cent. of the capital actually paid in. The bills of some of the banks, from their local situation, exceed this amount, while the bills of many others, and particularly of the larger banks in the cities, fall short of it.

The present bank capital, continued Mr. Pitkin, is estimated by the chairman at 75 millions of dollars. If he means that this sum has actually been paid in, it is too large. In 1812, the secretary of the treasury stated the amount to be only 50 millions; and from the best information I can obtain, I am satisfied the amount paid in does not at present much exceed 60 millions. Supposing those banks taken together can circulate, in proportion to their capital, as many notes as the late bank of the United States, the bank notes in circulation will be only 30 millions. From information, however, furnished by some of the state banks at different periods, we shall be satisfied, that this sum, taken on an average, is probably too large. About the first day of January, 1812, the capital of three of the principal

* For an abstract of the treasury statements from which Mr. Pitkin drew his calculations, see p. 36, 37 of this volume.

banks in Pennsylvania, and of three large banks in Massachusetts, and of all the banks in Rhode Island, amounted to $ 11,808,650, and the notes in circulation from these banks, at that time, was only $ 4,487,702, being a little more than one-third of the amount of the capital. This appears from statements made by the directors of those banks to the legislatures of those states respectively. In January of the present year, the capital of all the banks in Massachusetts was $ 11,575,000, and the notes in circulation amounted only to 4,117,118 dollars. If we suppose the bank capital of Massachusetts to be one-sixth of the whole banking capital of the United States, and that the other banks circulated notes in the same proportion to their capital as the banks of that state, the amount of all the notes now in circulation will be only 24,702,708 dollars. As the banks farther south have probably more notes in circulation, in proportion to their capital, than the banks in Massachusetts, the notes in circulation may exceed this amount by two or three millions*.

§ 4. The debate on this subject continued upwards of two weeks, the speakers on both sides taking a most extensive range. The plan of this work does not admit of our giving the debate at length, but we shall endeavour to give a correct summary of the arguments on both sides, on some of the most important topics canvassed on this occasion, arranging them, for the sake of perspicuity, under the different heads of—finance—cause of war and justice of its continuance—retaliation and allegiance—distinction between offensive and defensive war—and rights and duties of the opposition.

§ 5. *Mr. Sheffey* said, that it was necessary to consider not only whether there existed a capacity and disposition in the country to furnish the present loan, but whether this system of loans and expenditure could continue till the professed objects of the war were accomplished. If not, said he, this is surely the best moment to arrest our progress. To continue the effusion

* Bank notes form but a small part of the circulating medium. In the commercial cities of the United States it consists partly of *specie* and *bank notes*, but principally of *bank credit*. The former are seldom made use of but for small payments, large payments being almost always made by a transfer of bank credit from one person to another on the books of the bank, a transaction which is executed by means of what are called *checks*. Mr. Pitkin correctly observes, that the principal banks in Massachusetts and Pennsylvania issue notes to the amount of little more than one-third of their capital. And yet those very banks, though they charge their customers only about 6 and two-fifths per cent. per ann., divide from eight to ten per cent. per annum on the whole amount of their capital, after paying all expences, which may be reckoned at one per cent. more.

Mr. Pitkin calculates the bank capital of the United States at 60 millions of dollars. If this be correct, the circulating medium arising from banks alone (bank notes and bank credit) must amount to between eighty and a hundred millions. EDITOR.

of blood and the waste of money without hope, would be wanton and cruel.

To elucidate this subject, Mr. Sheffey made an estimate of the number of our military force for the year ending the 30th of September, 1813, which he calculated to average 25,000 men. The disbursements on account of the military service for that period amounted to upwards of eighteen millions of dollars, and Mr. Sheffey contended, that the floating debt on that account would amount to more than five millions, which together would make upwards of twenty-three millions of dollars. Nothing is more fallacious, said he, than the idea that the expenditure is limited by the appropriation. The actual payments only are so limited. If there is an excess of expenditure, it constitutes a debt which is paid out of the next appropriation. To prevent the whole sum appropriated for the military service from being paid as demands may require, and thereby prematurely exhaust the means of payment, the treasury department has interposed a restriction, by which but one-twelfth part of the amount appropriated can be drawn monthly. Thus the appropriation for the last year being about eighteen millions, the treasurer as agent for the war department received a monthly credit of one million and a half: beyond this sum no payment could be made, whatever the demand might be. Should there have been any application within the month, after the sum set apart was exhausted, the claimant would be postponed, he would have to wait until the waters were again moved, and if he was not preceded by others, or thrown back in the scramble, he might be satisfied.

The deduction drawn from these premises was, that the expence of the army for the present year, would amount to upwards of fifty millions, instead of twenty-four and a half, as had been estimated by the secretary of the treasury, or else we should have but half the army, past experience having shown that the average expence did not fall much short of $ 1000 per man.

Mr. Sheffey next entered into an examination of Mr. Eppes' statements of the national wealth, income, and circulating medium, the two former of which he was not disposed to question, but could not see how any result connected with the present question could follow. If we were deliberating on the propriety of imposing a tax on income, it would be very proper to enquire into the resources of individuals, without reference to any surplus, because it would constitute the basis of the tax, and regulate its product. But the present question can be influenced neither by the amount of capital nor income. As to the amount of the circulating medium, Mr. Sheffey said, from the

manner in which banks were created, any estimate predicated on the amount of bank capital would be altogether illusory.

But even supposing Mr. Eppes' estimate to be correct, continued Mr. Sheffey, his conclusion is totally irreconcileable with any idea I have on the subject. That the *utmost wants* of the country cannot require more than a given sum, and yet more than double that sum be *actually employed*, is beyond my comprehension. The circulating medium of a country is the representative of property, and can represent but such portion as periodically becomes the subject of exchange; and though it may fall short of that, it cannot go beyond it. An excess of circulating medium cannot long continue (if it ever can exist). If it consists in specie, it will find its way to a place of greater scarcity; if of paper, it will return to the place of its emission or depreciate.

In order to show that this country was not able to support the system of loans, of which that now required only constituted a part, Mr. Sheffey contended, that the loans in Great Britain consisted only of the *surplus profits* of the industrious occupations, and in the United States of their *capital.* That the profits of the British commercial and manufacturing capital were greater than the natural means to extend their employment. All the commerce, said he, which her relations with the rest of the world permits, can be carried on, and all the fabrics can be manufactured that can be vended, and a surplus of annual profit remains for the use of the government. But this was by no means the case in this country. The rude state of agriculture in many parts of our country, the slow progress of internal improvements, and the high rate of interest, all show that the money capital of the country is far from being redundant.

To those who are not content to look to the present moment only, continued Mr. Sheffey, but who deem it their duty to cast their eyes over the whole extent embraced by the financial or rather borrowing system, it will be an object of some importance, to know how long it can continue, admitting it practicable for the moment. It is a matter beyond all doubt, that every loan subtracts from the money capital of the country employed in the industrious occupations, and is not supplied by the *profit arising from its use.* Indeed it would be preposterous to talk of the profit of such capital, when the greater portion of it is thrown out of employment. Even admitting Mr. Eppes's positions, the whole disposable means will be exhausted in a very short period. Supposing even the whole commercial capital to be convertible to such purposes, a few more loans will bring gentlemen to the end of their means; what will be done

then? They themselves predict the consequences. They tell you that ruin to the public credit, and every possible calamity to the country, await the refusal to provide the means now asked. And surely those evils will not be mitigated when a heavy accumulation of the public debt has been effected.

In the course of his speech Mr. Sheffey also slightly noticed the evils which, he said, would arise from the stock falling into the hands of foreign capitalists, thus making the United States tributary to a foreign nation. The industry of the community will have to provide the revenue of persons not members of it, and which will be spent in another country. So long as it is inconsiderable, it will not be materially felt. But should the system of loans continue until the amount shall greatly increase, it will become a serious evil.

Mr. Hanson said, that the men now in power had not only endangered public credit, by making enormous loans without providing ways and means for their extinguishment, but deliberately violated the public faith, by pledging the eight million sinking fund (which had been appropriated for the payment of the old public debt), for the payment of the new loans and treasury notes. He quoted Gallatin, Hamilton, and other writers on finance, to show that it was an anomaly in political economy, a departure from the fundamental principles of public credit, to create a debt, without at the same time creating and pledging a fund for the punctual payment of the interest and ultimate reimbursement of the principal. To show that this had not been done, and that the present system of ways and means was a deception, and not even founded on the plan of finance which had been avowed, namely, to make the revenue equal to the expenses of the peace establishment, and the interest of the old and new debt, he entered into an examination of Mr. Eppes' exposition.

The acknowledged deficit, said he, admitted by the head of the treasury department, is $770,000, to which ought to be added $1,180,000, the balance in the treasury at the commencement of the current year, as it cannot be fairly said to form a part of the revenue. It cannot be considered a part of the income of the year 1814, because it has heretofore been appropriated, and must be wanted to satisfy unsettled claims, that have accrued the last year. So that a real deficit of nearly two millions exists, for which no funds are provided by law to make good. But Mr. Hanson contended that this was not the total deficit. That the estimate of revenue to arise from commerce and sales of public lands ought to be reduced at least one third. During a war, said he, which has caused the devastation and depopulation of the frontiers, it is evident that much cannot be

expected from the sales of land; and during an embargo, reinforced by an extensive and rigorous blockade, and during a rigid enforcement of the non-importation law, it is equally evident that but little revenue can be expected from commerce. The estimate of the customs and sales of land, then, being $6,600,000, one-third of this sum added to the acknowledged deficit and balance in the treasury, will make a total deficit of upwards of four millions of dollars. For this deficit no provision is made or prepared.

Mr. Hanson also enlarged on the difficulty which would attend the raising the loan at the present moment. The eastern states, said he, being free from blockade, have become the depot of most of the foreign articles imported into the United States, for the supply of the whole American continent. These articles, owing to the combined effects of the efforts of the public enemy and the embargo, cannot be paid for in the produce of the southern and middle states, and must be met by specie. This causes such a pressure from the east, on the banks of the middle and southern states, as will deprive them of the means, if they have the disposition, to fill the loan. The accumulation of capital in the state of Massachusetts alone, enables that state, by pressing New York, to reach the extreme southern end of the chain of banks. It cannot be concealed or denied, that a very general alarm is felt for the critical situation of the banks, produced by an accumulation of capital to the north in the manner mentioned. The consequence is, that the whole circulating medium of the country is in danger. Gentlemen seem not to be aware of the difficulties with which they are beset. I do not wish to ruffle their serenity, by exciting apprehensions; but they should be prepared to encounter troubles which they have hitherto been strangers to. They should be prepared for an *explosion*, the noise of which may not reach their ears in time for their retreat. The very foundations of the government tremble beneath it. The ground on which ministers stand is hourly washing from under their feet. Let them fail in their loan, and they are undone. They have no excuse for not providing the ways and means called for by the public exigencies but the fear of offending the people, and yet the popularity of the war is the favourite theme of its authors. A crisis has arrived in the finances of the government, which, unless promptly and vigorously met by efficient measures, will bring on certain ruin. The credit of the government, once destroyed, cannot be easily reinstated. It must be destroyed if this system is pursued.

Mr. Ingersoll said, that there was something very extraordinary to his mind in the financial horrors which were conjured

up by gentlemen. But can these apprehensions, said he, be reconciled with those immense advantages which the same gentlemen who entertain them ascribe to our foreign commerce? Is it possible that we have had the second foreign trade in the world, pouring in all its affluence upon the United States for twenty years together, and that it has not made a sufficient stock of capital to afford the means for a short war in its defence? I cannot suppose that such is the fact. The capital of this country is much greater than probably most of its citizens are aware of. I have understood from a gentleman of intelligence and observation, that the war has not occasioned the failure of any one merchant or mercantile firm of respectable standing upon the whole continent. Not a single insurance company, I believe, has found itself compelled to stop payment. Nor a single bank, I will answer for it, whose failure can be imputed to the war. But I am yet to learn that banks constitute the wealth of a nation, however convenient they may be to its financial operations. The resources would abide in the country, even though all the banks should be swamped. How is it in England, the great mother country of finance? Mr. Pitt stopped the specie payments of the bank of England in 1797, unless I am mistaken; and unless I am equally mistaken, that bank has never since been open for the purposes of metallic payments. Yet, that the affairs of England have not been materially affected, I presume will hardly be denied.

The truth is, that finance is still a political secret. It is the modern Eleusinian mystery of politics. I have taken some pains to become at least a theorist in the science: but after consulting most of the treatises to be met with on this subject, I have not been able to arrive at any more satisfactory conclusion, than that the whole matter remains yet to be developed in its genuine effects. When sir Robert Walpole introduced the funding system in England, he always admitted that there was a certain ultimatum beyond which the national debt could not travel without national ruin. But now that ultimatum is quadrupled, ay, quintupled, and ruin still holds off. Mr. Pitt, unquestionably, like sir Robert Walpole, one of the most eminent financiers that ever presided over the government of England, also subscribed to the idea of a certain ultimatum of debt, which could not be exceeded. His ministry was almost avowed to be a system of expedients. Yet the debt has now left far behind this imaginary ultimatum, and this system of expedients has been crowned with success. Sir R. Walpole used to say, when threatened with national bankruptcy and convulsion, that it had never been ascertained how much ruin there was in a nation, but that there certainly was a great deal.

With the specie issues of the bank of England so long at a stand, with the enormous increase of their debt, with the depreciation of their paper currency, what at last has conquered the gigantic power of France, dissolved the confederation of the Rhine, rescued Russia from the continental system and conflagration, restored Austria to the German empire, broken the yoke of Holland, and re-created Prussia a kingdom?—The subsidies of England: that paper money which the French emperor deprecates as the greatest enemy to social order—as to his social order, it certainly is. These subsidies have not been paid in hard money. No: but a very small part of them; and the rest in English endorsements and discounts. With the feeblest ministry that ever governed Great Britain since the administration of lord North, and engagements this year to the amount of at least 120 millions of pounds sterling, has that country been able at last to achieve what it so long has been striving for in vain. Neither the frosts of Russia, nor the discipline and enthusiasm of all Europe combined in arms, could have triumphed against the power of France, without the reinforcement of English paper. It was the sword of finance with which Napoleon's truncheon has been beaten down. It was with paper his confederates were seduced, and with paper arms his enemies have driven him behind the Rhine.

What, then, have we to fear? Are our resources good? Undoubtedly. We have as much metallic fund, probably, as England herself. Our credit is perfect. Our country is confident. Our means are all within ourselves. To draw them forth may cost more or less, according to circumstances. But while we have them, most assuredly we can use them.

Mr. Jackson, of Virginia, controverted the statement of Mr. Sheffey as to the expence of the military force. From authentic sources, he had ascertained, that during the last year the regulars averaged twenty-five thousand, the twelve-months men six thousand, and the militia thirty thousand, making a total of sixty-one thousand men, and consequently making the average expence $300 instead of $1000 per man*. He also denied the

* By a letter from the secretary of war to the committee of ways and means, dated February 10, 1814, it appears, that the amount of regular troops in February, 1813, was 18,945; in June 27,609; in December 34,325; and that the average number of volunteers, during 1813, was 6000.—The aggregate strength of the army, on the 17th day of January, 1814, was 33,822. The actual number of militia could not be stated with precision at the date of the letter, but from the best information that could be resorted to, the paymaster of the army thought it would be safe to estimate the number, during the year 1813, at 30,000 men, including officers. The letter referred to was published subsequent to this debate. EDITOR.

statement as to the great amount due by the war department, on account of the rule limiting the expenditure to certain sums monthly; and said that he felt himself authorized to assert, that no legal claim, properly authenticated, had been presented without being paid; and besides, that advances had been made for the recruiting service and for the quarter-master's department. Mr. I. said that he had no objection to the American stock falling into the hands of British capitalists. It would be a lien on their friendship, and induce the wealthy men of the nation to desire a state of peace, and therefore to have justice done to us. The advantage of the increase of capital to America, also, would far overbalance the disadvantage of paying the interest out of the country.

§ 6. The next important subjects canvassed in this debate were the causes of the war, and the justice of its continuance.

Mr. Sheffey said, that he was originally opposed to the declaration of war, which he had viewed as a measure of extreme imprudence, calculated to add to the evils of which we complained, without the hope of removing any. He believed that we had sufficient cause of war, against both the great belligerents; he meant such cause as states have generally regarded as sufficient. But our true policy required that we should (without relinquishing any right) make the most of things we could not alter, and look to the restoration of independent sovereign communities in Europe, equally interested with ourselves, as the only probable means to re-establish a respect for the rights of nations.

At the time of the declaration of war, Mr. Sheffey said, he understood the primary cause of that measure to be the orders in council. The silence of government on the subject of impressment for years before forbid the opinion that that was considered as originally justifying hostilities, or that it would require a perseverance in them, after every other cause was removed. I indeed occasionally heard, in this house, continued he, the sufferings of our seamen in the 'floating dungeons of England' described in eloquent and pathetic language; but I always considered it merely as a rhetorical flourish, intended to embellish a speech. I sometimes too saw in the columns of certain newspapers the magical number 6257 displayed in large figures, as the number of our impressed seamen; but I did not suppose that any grave statesman who had access to better information, could either believe it, or be influenced by the inflammatory matter generally subjoined. But it seems I was mistaken. Though the orders in council have long since been removed, the war has been continued and is to be persevered in,

as is avowed, until Great Britain shall relinquish the practice of taking even her own seamen from our merchant vessels; or, in other words, until she shall consent that the flag shall protect all who sail under it. I cannot consent to subject the country to the many certain evils that will attend the continuance of the war on any such principles, because I believe the claim set up by administration extends beyond what our interest requires and propriety warrants; and because I cannot see that we shall be able by force to compel Great Britain to assent to our demand. All we could require was security for our own seamen, leaving to Great Britain the service of her subjects. Some remedy calculated to secure both ought to have been attempted by friendly negociation, instead of insisting on a principle, which, though it may affect our convenience, leaves the interest of others to be sacrificed.

Those who have precipitated us into our present unfortunate and ruinous situation, continued Mr. Sheffey, demand of us to yield the means which they shall prescribe, as necessary to insure a vigorous and successful prosecution of the war, the only hope, as they say, of a speedy and honourable peace, the professed object of all. In any measures for the defence of our country, he said, he would willingly unite with them, but not in furnishing means for the vain attempt of conquering Canada. These would be utterly thrown away, as in the two last campaigns.—But even supposing the enemy's provinces could be subdued, what then? Can it be believed that she would yield a great maritime right (as she estimates it) for the restoration of colonies, which hitherto have been of little value to her?

This war has certainly been attended with some very extraordinary appearances, and the consequences, should it continue, will be still more extraordinary. It has been waged for the freedom of commerce; and scarcely were we on the threshold, when all commerce, if not annihilated, was entirely suspended, and your ships chained to the wharves. The security of your seamen on the high seas was made another great object. They are now interdicted the ocean and turned on the land. In a few years your ships will be rotten or eaten by the worms; your commercia lcapital will have sought other employment; your seamen will have gone into foreign service, or turned landsmen; so that, by one mighty effort of wisdom, the ruin of your commerce is converted into a mean to secure its freedom; and driving your seamen from the ocean, or out of the service, seems an appropriate remedy for the protection of their rights. Thus, at the end of the war, the freedom of our commerce and the security of our seamen, will have become mere abstract propo-

sitions. With such prospects, I cannot give my aid to support the war *offensively* for a single moment. I will not co-operate in measures pregnant with such consequences.

Mr. Sheffey now took a review of our principal foreign transactions, commencing with the treaty negociated with Great Britain by Monroe and Pinkney in 1806, the rejection of which appeared to him to be the foundation of all the evils which have since befallen this country. After commenting on the different restrictive measures which had been subsequently adopted, and which finally ended in war, he thus concluded his speech.

After this review of the measures of administration, which gentlemen have uniformly supported, and which have progressively brought us into our present calamitous situation, I should like to know upon what principle they can set up their high claims to our confidence. Has any one of their measures succeeded? Have they been able to perform any of the promises so lavishly made? They rejected the treaty of 1806, and promised you a better. They were mistaken. They resorted to the embargo, to coerce Great Britain and to save you from war. Great Britain maintained her policy and laughed at your embargo, and you are now at war. They adopted the non-intercourse with equal effect. The act of May, 1810, was to relieve you from the injustice of both belligerents; it has brought you into a ruinous war with one, without obtaining justice from the other. The war finally was to secure every thing. It has secured nothing—but, combined with the restrictive system, sacrificed every thing. The whole system of measures, in fact, from the beginning, has been a miserable patchwork of expedients, resorted to as occasion seemed to require, without any regular and liberal policy. For myself, therefore, I cannot unite with gentlemen (however much I may respect them as individuals) in a course which has led us into many evils, and which, in my opinion, if persisted in must terminate in ruin.

I hope I shall be indulged, on this occasion, to use the liberty which gentlemen on the other side frequently exercise. Permit me, also, in my turn to invite to union: an union, not to support measures, which every day's experience condemns; to continue a hopeless, disastrous, and ruinous war; to fasten on ourselves and posterity, a heavy load of burthens, to cherish the profligacy of those who riot on the public spoils; but an union to restore the general happiness. Let them come over to us, and with us travel the path that leads to peace and national prosperity, from which they have departed. Their policy stands condemned by universal experience; to ours it has given a high

sanction. I repeat, therefore, unite with us, and restore peace to our country.

Mr. Hanson went over much the same grounds as Mr. Sheffey, relative to the cause of the war. In reviewing our foreign transactions, he also commenced with the rejected treaty, by which he said the subject of impressment was arranged in the fairest manner. This was, that each of the contracting parties should enact such laws "as shall subject to heavy penalties the commanders of belligerent ships who shall carry off the subjects of the neutral on any pretence whatever." The British ministers enforced this, by observing, that they supposed our object to be to prevent the impressment of American seamen, and not to withdraw British seamen from the service of their country, in times of great national peril, in order to employ them ourselves; that their proposal would effect this object; that if they should consent to make our commercial navy an asylum for all British seamen, the effect of such a concession upon her maritime strength, on which Great Britain depended, might be fatal. We are at war, then, said Mr. Hanson, for a principle which Great Britain has declared she never would yield—although she was willing to compromise; for a principle which Mr. Monroe declared to be "honourably and advantageously arranged" by the rejected treaty of 1806.

Mr. Ingersoll said, that the origin of all our commercial embarrassments was to be traced to the British infractions of that undeniable principle in the law of nations, that free ships make free goods, a principle sanctioned by the treaty of Utrecht, to which all the commercial and principal sovereignties of Europe were parties, and by the treaty of 1786, between France and England, by which the latter power once more sanctioned the principle. He quoted some resolutions from the English parliamentary proceedings in 1737, to show how animated and how absolute the English were not long ago in resisting the claims of the Spaniards to search their vessels in the American seas, under the pretence of their carrying prohibited or contraband goods. In arguing this point, however, Mr. Ingersoll stated, that he was not to be understood as asserting that America is bound to maintain this principle in arms against Great Britain, but merely to say, that such is the ancient and recognized law of nations; and that as a power, whose policy it is to be generally neutral, and always commercial, it is the interest and the right of the United States to assert and adhere to it, as the great safeguard for the integrity of their flag and foreign trade.

Mr. Ingersoll then took a rapid view of the foreign transactions of the United States, during the contests arising out of the

French revolution, to show the great forbearance of the United States towards the belligerents, and her anxiety to avoid war, for which, he said, impartial men and posterity will do us justice. In 1807, he said, war or embargo had become unavoidable. The latter was resorted to, but not allowed to be fairly tried. First modified, then abandoned, the restrictive system languished in non-intercourse and non-importation acts. But those acts were totally inadequate. From the repeal of the embargo, war became obviously inevitable; though it was not declared till the summer of 1812. Soon afterwards, continued he, intelligence reached us of what is called the revocation of the orders in council, and consequently, as is argued, of the removal of all cause of war. But have they been revoked? No; their present footing is more reprehensible than before. A partial, conditional, temporary suspension of their actual operation has, to be sure, been wrung from the British government by the cries of their famished manufacturers. These curses have, indeed, been thrown back into Pandora's box, but they are not destroyed; and the fiend stands ready with the keys brandished in her hand, to take them out again whenever another exigency shall arise, as another section of the *ancient* maritime rights of Great Britain; dear to her as her existence, legitimate as her renown. When first issued, their legality was not so much as pretended. Their only plea was expediency. They were the extreme effort of a case of extreme urgency. They were edicts of mere retaliation, provoked and justified alone by the preceeding violence of France. But now, after a few years of existence, they have come to be incorporated with the law of nations—they are suspended, to be sure—but, like the rule of '56, their legality is as clear as their antiquity—they are a part of the defensive system of England's undoubted maritime rights.

But even allowing, for argument's sake, that the orders in council were repealed, the question of impressment still remained, which Mr. Ingersoll contended was ample cause for war. He cited the correspondence of the secretaries of state under Washington and Adams, to show the lively sense which was then entertained of the grievance, the difficulty which the secretary said existed in 1792, to avoid "making immediate reprisals," and the "impossibility of letting it go on." He also quoted judge Marshall's Life of Washington as an authority to show that "native Americans were frequently impressed, and compelled to serve against the French republic*." Lord Cas-

* Vol. V. p. 460.

tlereagh admits 1600 Americans to be wrongfully detained. But is this the total amount of impressed Americans? Ask your flag, that glorious flag, which, after striking the flag of England from her masts, has, in every instance of its surrender, detected Americans in the ships it covered. On board the Guerriere there were, I think, seven; on board the Macedonian five; on board the Java eleven; on board the Peacock three. Steele's formidable list gives us a thousand British vessels of war. Now take the number of our people discovered on board the little Peacock as the average; does not an arithmetical deduction give you 3000 Americans in the British navy? Certainly, you have at least 3000 men fighting their battles, or, more barbarously still, dying in their hulks as prisoners of war. But we know that this average is much too small. We know from the muster rolls of the Moselle, and another which fell into the hands of commodore Rodgers, that very many more than three to a crew is the proportion. But these men are necessary, they are indispensable to the navy of Great Britain. Waving the weakness of the plea, is such the fact? Are 1600, or 3000 Americans, or more, indispensable to a navy which keeps 160,000 seamen constantly in its employment? The question answers itself. They are not necessary. Their enlargement is indeed most necessary to our character, to our sovereignty, to our national well being. But their detention is of little moment to the interests of Great Britain. If it were indeed, if this cry of self-defence, of vital expediency, if even this were founded in truth, independently of all right and abstract justice, I should pause, for one, about wresting impressment from the English grasp. It is not the downfal of Great Britain I desire. It is nothing more than her reasonable curtailment, her restriction to those grounds of a reasonable maritime ascendency, which I have no objection she should continue to enjoy, and which she certainly may continue to enjoy, without the prostration of our most sacred privileges and most important interests.

The employment of the Indians Mr. I. looked upon as another cause of war, which could not be justified upon the pretence of invasion or self-defence. Is it lawful, said he, to poison your wells or arrows, though your country be overrun by an enemy? No; nothing can excuse or extenuate such barbarities. Nor is excuse or extenuation sought for. They are referred to the detestable expediency of lord Suffolk in 1777, whose rebuke by lord Chatham we all remember for his impious declaration, that England had a right to employ the Indians against the Americans, as means (to use his own infernal language) which God and nature placed at their command. When Francis the first of

France made an alliance with the Turks, to enable himself to withstand the power of Austria and of Spain, concentrated under Charles the fifth, all Europe cried out shame against a king who could stoop to be associated with infidels, whatever might be his emergencies. But in these days of refinement, the alliance of England with American Indians is no offence.

Nor is this a new outrage, though never so substantiated as now. In his celebrated speech on the British treaty, Mr. Ames admits that the unauthorized agents of England might be expected to stir up our Indians, though he denies that the English government participated in this excitement. But what was gen. Washington's impression of the Indian war which carried Harmer, and St. Clair, and Wayne into the field? Gen. Washington, sir, was satisfied that col. Beckwith, the formal British agent, who preceded Mr. Hammond's mission to America—that this agent had fomented the fury of the Indians. He directed the secretary of state to remonstrate with Beckwith concerning it. And what did he offer in his excuse? After some prevarication, he acknowledged his own interference in that way, though he denied that he had acted by lord Dorchester's authority, and asserted that the step was merely his own. So long ago as 1792 was this iniquity in preparation. Within the last two years, every disguise has been thrown off, and it stands forward before the world in all its horrid incarnation of avowal.

Such being the causes of this war, let us next enquire, what are the *events* that have succeeded its declaration, which should drive us to abandon it? It has been disastrous, say its antagonists. It has so. It has had to struggle with unexpected difficulties, and unaccountable reverses. But is it therefore we should give it up? Remember the price paid for the privilege of declaring it. Call to mind the members of that illustrious congress, who during the revolution were often obliged to fly, like conspirators, by night, from their beds, to places of safety. From Philadelphia to Baltimore, to Lancaster, to York, to Trenton. Did they yield to the current of disaster? If they had, our independence never would have been achieved.—The years of the revolution dragged on in delay, defeat, trial, and difficulty. With all its glorious circumstances, what was the battle of Bunker-hill? An overthrow. The invasion of Canada under Montgomery and Arnold; the affairs on Long Island; the capture of Fort Washington; the rout at Brandywine; the defeat at Germantown; the partial success at Monmouth; the predatory and wasting excursions into Connecticut and Virginia; the contest in the south, of which we have lately so well drawn a picture by one of the principal performers on that theatre: what was it but

a succession of total failures or transient triumphs? The man whose memory is now the resting place of a nation's benefactions, for whose particular association the two parties of this country contend, like the Greek cities for the birth-place of Homer, was then, almost as much as your present generals, the object of American contempt and malediction. His army was wasting in sickness and inactivity; his fortresses were taken from him; his plans were frustrated; his troops were beaten. Yes, there are venerable men of the delegation here of which I am an unworthy member, who recollect these things; who have told me that in 1776 not a town, nor a village, nor a passenger on the road between Philadelphia and New York but was full of complaints against Washington himself, clamorous with despondency of the cause he was engaged in.—Let us imitate the example of his constancy, not their despair. Let us never forget for a moment, that the character of our population, the structure of our government, our experience in war, our long repose in peace, do not justify the expectation of never-failing victory over a nation inured to arms and vast in capacity of annoyance. Like our forefathers of the revolution, let us make the least of defeat, and the most of success. Like them let us nerve our councils to bear the reverses of our arms, and like them we shall finally be triumphant.

But this wanton and disastrous war is also *partial in its pressure.* What an objection to come from Massachusetts to Virginia! What an objection! while any of the patriots of the revolution survive. It is too mortifying to dwell upon. I mention it but to say, that if Virginia had made such an objection to Massachusetts in 1775, we should not now have been an independent nation. It is however unfounded in fact. The pressure is felt more severely in Virginia, Maryland, North Carolina and Louisiana, than in any section whatever of the eastern states.

The war is moreover *unpopular.* In spite of the majorities in this house, the majorities of suffrages all over the country, the people are opposed to the war. Majority then is not an evidence of popularity? No. It proves only the coherence of party. If this war were popular it would be successful in Canada. If so, Pompey's was the unpopular side, when he fought at Pharsalia, with all the hopes of Roman republicanism under his standard, against Cæsar and his invading regulars from Gaul.—Caractacus was unpopular when he fell before the legions of Claudius Cæsar. The ravage of the Palatinate by Louis the fourteenth is ascribable to his popularity there. In short, all England's efforts during the last 20 years have been unpopular while sustained in self-defence, all Bonaparte's foreign conquests

completely popular; nor has the war become unpopular with the French nation until brought home to their frontiers and breaking in upon their fire-sides. The idea is preposterous.

At all events, again, and whether disastrous or unpopular, the contest is *hopeless*. How does it happen that we are here deliberating on the war? Is it more hopeless than that which our predecessors waged, without half the impulse pressing upon us in the present struggle, against difficulties incomparably more alarming, and yet with complete success? Is not this the old story of the revolution? Does it not prove too much? I submit it to the logical mind of the gentleman from Virginia (Mr. Sheffey) who advanced it, that an argument proving too much proves nothing. Now, if we cannot under any provocation venture to resist Great Britain in arms, can we contend with France or with Spain? Must we not tamely submit to all they may impose upon us? It will answer no purpose to wait for greater population and resource, unless we are disciplined in the mean while in the school of trial and experience. Unless we accustom our fellow-citizens to occasional hostilities, one hundred millions of population would not be enough to oppose to any foreign enemy, unless we learn in that school in which all other nations have derived their instruction. A population of one hundred millions would be but an inert and degenerate mass, incapable of self-protection, destined to break down our union by its own unwieldy and unmanageable weight. But this objection is not founded in fact. Great Britain is not that inexorable and unyielding tyrant which gentlemen represent her. She acknowledged our independence. She removed captain Whitby from one of her ships, captain Bradley from another, admiral Berkeley from our coasts. Ungraciously, if you will; but yet she did it. She restored to the very deck of the vessel from which they were torn, the seamen of the Chesapeake; a greater humiliation than ever was assented to by a naval nation, proud of her maritime supremacy. Taken by force from the waters in this neighbourhood, as those men were, and five years afterwards publicly returned to their own ship in the harbour of Boston, I am not able to imagine a more complete capitulation. It was to all intents and purposes sending the English doge to Paris. Besides, the late overture by the Bramble contradicts the common sentiment of the unyieldingness of Great Britain. She knows how to yield to circumstances, as well as others. In 1802 and 1806 she consented to an adjustment of the points of impressment, and, vigorously pressed, no doubt she will learn to consent to it again.

Mr. Ingersoll concluded by a review of the momentous changes taking place in Europe, and re-establishing the balance of power on the continent, and expressed his hopes that the fall of universal France was the precursor of the fall of universal England, and that the triumphs of the little navy of America would aid in bringing about this consummation. Europe, he said, was convinced, that there could be no true balance of power, while England wields the undisputed, the only sceptre of the seas. Let us hope, that from all the astonishing visitations of the two last years, a general and permanent peace will result. I am not one of those American politicians who pray for war in Europe as the field of commerce for America. I am satisfied, on the contrary, that a general European peace will be infinitely beneficial to American foreign trade. The carrying states, those who have ships without cargoes, timber-heads without freights, may perhaps suffer; though I doubt even their suffering. But the exporting, the agricultural states, those who can afford superfluities of breadstuffs, of rice, of cotton, of wool, of hemp, of all the indefinite products of their various territories, will be large gainers by perpetual peace. Peace is the element of their prosperity, war of their decline.

To conclude: the hostilities in which we are engaged have been tempered by unexpected alleviations of abundance and health. Manufactures have made a progress even more considerable, I imagine, than is generally supposed. They have supplied, far beyond our calculations, the deficiencies and privations caused by the absence of foreign trade. Taxation, of which such apprehensions were indulged, seems to be submitted to without a murmur, without a sensation. The union, which it was feared would be shaken to atoms by the first blast of war, stands firm, and better fortified in the public opinion than ever. I have been told by a very intelligent native of Europe, who was lately abroad, with the best opportunities of the best information, that the impression there, before the war, was very general, that the American confederation was an Utopian experiment, calculated for peace, inadequate to war; and that no doubt the admiration and confidence will be proportioned to the disappointment of these ideas. The American national character has acquired in Europe invaluable consistency and elevation by the events of this war. The inhabitants of Europe will regard us through our naval performances; through that medium which is most near and most natural to their perspective, and which is most remarka-

ble, because of our triumphs over a maritime power which had humbled and almost annihilated the marines of Europe.

Upon the land, in the Canadas, we have indeed been disgraced. But it is not there that Europe will enquire for our reputation: and if she should, there are no people so well qualified by their own bitter experience to make allowances for our ignorance in the art of war. They have felt it too much themselves, all of them, without exception, in their turns, not to be very reasonable on our incapacity. There is, in fact, a most consolatory assurance to be gathered from our very failures: they have taught us that the American republic is capable of sustaining the greatest of national trials, an unsuccessful war. The fortitude and ardour of the people have never been shaken. The resources of the country have never failed.

Mr. Jackson took a review of the objections of the minority to the bill, which he classed under three heads, viz. the justice of the war in its origin; the justice of its continuance; and the mode of waging it. Under the first head he passed in review the numerous injuries inflicted on our commerce by the lawless violence of Great Britain from 1806 to 1812, and insisted that the conduct of the United States towards France and England had been marked with the strictest impartiality. With respect to the arrangement with France touching the repeal of the decrees of Berlin and Milan, the confidence, he said, due to independent nations demanded a reliance on the declaration of the French government. It was no answer to the position that this confidence might be abused, for without it all the advantages of civilization would be lost; we should be thrown back into the dark ages, and revive the deplorable doctrine that no faith was due to the engagements of other nations; no reliance to be placed except on the sword of our own. Mr. Jackson quoted the arrangement with Mr. Erskine as a case exactly similar; a case in which the present minority were so zealous to testify their pleasure, that a formal vote of thanks to the executive was proposed and voted for by them. The arrangement with Mr. Erskine for the repeal of the British orders promised their abrogation at a future day. It was adopted with avidity—in the language of the resolve, with a promptitude and frankness honourable to the president; and on the faith of it, *before* the day had arrived, the president issued his proclamation, notifying the fact, and renewing the trade, then suspended by our non-intercourse act, from and after that day. The proclamation in consequence of the promise of the French government was not issued till *after* the day on which the repeal was

to take effect. With respect to the mode of making the promise, about which so much had been said, it will be recollected that we had prescribed a condition in our law, to be performed in the event that either France or England revoked their edicts, and the other refused to do so within three months after such revocation, and the repeal of the Berlin and Milan decrees was made to depend upon our fulfilment of this condition—namely, a renewal of trade with the party repealing; and, unless the outstanding belligerent repealed his decrees, a non-intercourse with him. It was in the nature of a neutral compact, requiring the fulfilment by each of the condition it had prescribed as the consideration of its observance by the other; and it was exclusively in our power, by observing good faith, to render the contract absolute, or by violating our engagements to defeat it. The decree of April, 1811, is a proof that France considered that we had performed our engagements, it being neither more nor less than a confirmation of the previous conditional repeal, a declaration that we had performed the condition. Mr. Jackson allowed, that this decree was fairly liable, from the circumstance of its concealment, to all the animadversions heaped upon its suspicious appearance; but he insisted that the construction he had given to it was fair and reasonable, and if so, the assertion that the repeal was not until after the proclamation, had not a shadow of reason for its support.

The war, continued Mr. Jackson, has been said to have been entered into rashly and precipitately, because, it is alleged, there was every reason for believing the British would repeal their orders, when they were notified of the repeal of the French decrees. But did not Mr. Foster declare, that the repeal would not take place, unless France not only rescinded her decrees so far as they violated our rights, but permitted the British manufactures to be admitted into the continent also? Did not lord Castlereagh declare the same thing, and finally, that all pretext might be done away, have we not the "declaration" of the prince regent to the same effect? These repeated declarations were amply sufficient to prove that other causes operated to produce the repeal of the orders, for which there was no necessity of looking farther than the proceedings of the British parliament at that precise period.

The practice of impressment has been urged as an intolerable injury by every administration. Washington, twenty years ago, declared that it was an outrage not to be endured, and threatened reprisals. And will it be said that the father of his country would seriously contend for trifles, and assume a principle, as the head of this nation, which was to be given up as

untenable? True, he did not go to war for it. He found his country exhausted, and by slow degrees recovering from the shock of a revolution; the government of it, which the sense of common danger and the united patriotism of the times alone rendered capable of sustaining any pressure, suddenly changed for a new system, against which the talents of some of the firmest patriots and strongest champions of liberty in the nation had been arrayed. The predictions of these men floated as beacons to guard against the dangers they had imagined; and in reducing order out of chaos, they were neither to be despised nor disregarded. It was his policy, and a wise one, to give the nation time to breathe and grow strong; and in the mean time to enter a protest against this abuse, rather than go to war then to redress it. Besides, the injury was then small when compared to its subsequent extent; and the first impressments of our citizens being disavowed, and reparation promised, it was certainly proper to rely on negociation for redress and future indemnity. But experience has fatally proved the fallacy of this security; year after year redress has been sought in vain. In a government like this, where the rights of persons not only constitute the key-stone of the arch of our political edifice, but the corner-stone on which the arch itself is erected, let it not be said that in such a government, a freeman can be despoiled of his liberty, without producing more excitement than the capture of a bale of cotton or a barrel of flour.

It has been said that the subject of impressment was satisfactorily arranged by the treaty of 1806, and that its rejection had produced the war. But what was this arrangement? A mere informal note binding upon no party. On the new ministry coming into power, Mr. Canning being notified by the American ministers of the promise contained in this note, he addressed a letter to the ex-ministers lords Holland and Auckland, who had written it, to know if they had promised any suspension or discontinuance of the practice of impressment; they referred him at first to the note itself; and on his pressing them further they declared that they only intended to promise the utmost caution in the exercise of the right, but no suspension or discontinuance of the practice of impressment. Mr. Canning then wrote to our ministers, that no engagements were entered into by Great Britain except such as appeared on the face of the treaty. Besides, the treaty afforded no security against other abuses; it contained no indemnity for the vast spoliations of property, and it is a principle of common law and reason, applicable to individual transactions as well as to national controversies, that a claim advanced in a settlement and resisted, for

which no provision is made, is considered to be barred by such settlement. So far from healing up existing differences and preventing future ones, the seeds of controversy were sown deep by the British, and the outrageous pretension was set up to chastise us for French aggressions, unless we resisted them in the manner they required. An official note was delivered by the British commissioners at signing the treaty, in which they state that it is not to be considered as binding on their part, unless the United States by their conduct and assurances give security to resist France, and when the minister was told that we had by our conduct given those assurances, he declared he was not satisfied therewith. Thus, sir, we were to bind ourselves by a treaty, which was or was not to be obligatory on the enemy, according to his capricious opinions of the degree and character of resistance we were to make to the encroachments of the French. And no one can be so credulous as to believe that any measure short of war would have been satisfactory.

It is pretended that our efforts in favour of free trade proceed from hostility to commerce; and that the destruction of it by Great Britain before the revolution was no more than what we practise. Cannot gentlemen perceive the distinction between regulating commerce by a foreign nation, and by their own representatives? If they cannot, they are fit tools for despotism, and unworthy of participating in the blessings of a free government. The threat of resistance, of a division of the union, is perfectly idle: those who use it neither wish nor intend its execution: the commercial interest, which it is said were the strong advocates for the constitution, will not favour it for the same reasons that then influenced them. What is the course of trade and commerce in this country? The great mass of the ship owners and navigators live in the north and east—the bulky products, the principal exports of the country, are from the south and west, and these products are carried to market by the owners of the shipping. Suppose, in a state of separation, we gave England a monopoly of our trade, the transportation of our produce to a market, and the exclusive supply of foreign merchandize. I need not give you a picture of the distress and ruin it would produce to *them*, whilst I hazard little in saying it would not injure *us*. They know this as well as we do, and if patriotism cannot bind them to the union, interest will.

But a new species of complaint seems about to be set up—not that commerce is regulated by congress—but that men presume to do it "who never saw a ship through the medium of the eye." What, are we to be told we are unfit to resist the usurpations of England unless we saw the vessels and cargoes of our

merchants captured and confiscated? Cannot we imagine the tyranny of impressment unless we see the prisoner in his dungeon? Will gentlemen take no part with their country against the cruelties of savage warfare, unless they see the scalpings and butcheries of our women and children? I should be ashamed of the argument. If one of our flat boats carrying a cargo of flour to New Orleans had been seized by the Spaniards when they owned Louisiana, and the crew sent to the mines—what would have been thought if one of my western brethren had gravely told this house, Gentlemen, you cannot understand this outrage—it is idle and wicked for you to think it an indignity to the nation, therefore it is improper for you to interfere in it, *for you never saw a flat boat through the medium of the eye!*

Mr. Gaston, of North Carolina, entered into an examination of the position laid down by Mr. Ingersoll, that the principle of "free ships make free goods," was a part of the ancient law of nations, and in proof of the contrary doctrine quoted Mr. Jefferson's letter to Genet, of the 24th of July, 1793, in which he thus expresses himself: "I believe it cannot be doubted but that, by the general law of nations, the goods of a friend found in the vessel of an enemy are free, and the goods of an enemy found in the vessel of a friend are lawful prizes. It is true that sundry nations, desirous of avoiding the inconveniences of having their vessels stopped at sea, ransacked, carried into port, and detained under pretence of having enemy's goods on board, have in many instances introduced another principle between them, that enemy bottoms shall make enemy goods, and that friendly bottoms shall make friendly goods; a principle much less embarrassing to commerce, and equal to all parties in point of gain or loss—but this is altogether the effect of particular treaty, controlling in special cases the general principles of the law of nations, and therefore taking effect between such nations only as have agreed to control it." The treaty of Utrecht and the treaty of 1786, between France and England, hold language exactly similar. The arrangement is declared to be made with a view to prevent the embarrassments and dissentions that would arise without such an arrangement; or, in other words, from the application of the principles of the common law of nations. Nor is it at all strange that Britain, in a commercial treaty, from which she expected to derive immense advantages, should acquiesce in such an arrangement as between her and France. For it is obvious that no practical effect could result from it, except when one was at peace and the other at war. And such a state of things has so rarely happened, that its occurrence might be numbered among political impossibilities.

The "no search" clamour in England of 1737, which the parliamentary debates have been quoted to prove, had about as much to do with the belligerent right to capture enemy's property conveyed in neutral ships, as the "no search" cry made about 30 years afterwards in the case of John Wilkes and general warrants. The dispute of 1737 with Spain, grew out of a municipal claim asserted by that government, and of the rigorous practice of their guarda costas to search British vessels, hovering on the coasts of the Spanish colonies for prohibited articles designed to be smuggled into them: a claim said to be repugnant to the treaty of Seville, and certainly very inconvenient to the illicit trade between Jamaica and the Spanish main—and a practice enforced with all that barbarity which usually characterises the minions of custom-house and revenue tyrants.

How far the establishment of the principle would be beneficial to this country is perhaps not so clear. At a time when we had no capital to afford employment to our navigation, it certainly would have been advantageous. But since that period has passed away, the most enlightened commercial men will tell you they wish for no such innovation. Its effect would be, to give us, when neutrals, the benefit of being among the carriers of the commodities of the weaker maritime belligerent for freight. But the effect of the old principle is to give us the profit which results, not merely from the carriage, but the purchase and re-sales of these commodities, with almost a monopoly in either market.

The great cause of Indian hostilities, Mr. Gaston said, was to be found, where experience and history would prompt us to look for it—in our cupidity for their lands, and their jealousy and distrust of our superior intelligence and force. Indian wars have been, until a few years back, almost uninterrupted in this country, both before and since the revolution. They need no other instigations than are to be found in the inconsistent views, interests, claims, passions, and habits of neighbouring, yet distinct races of people. Sir, gen. Harrison's treaty of November, 1809, was the mine of the great Indian explosion. The Indians complained, I know not how justly, that in that treaty they were cheated of lands which the parties to it had no right to convey, and never meant to convey. There are gentlemen in this legislature who know that Tecumseh, immediately afterwards, avowed his fixed purpose to vindicate by force, and by an union of the red men, the rights of his tribe and the menaced independence of the whole race. And we all know (the fact is on record) that shortly after this treaty the British governor-general

of Canada, caused it to be officially communicated to the government of the United States, that the Indians were meditating hostile designs.

The impressment of seamen, Mr. Gaston contended, was not a cause of this war. From the period of the rejected treaty this subject had been suffered to sleep. The grounds of the commercial war, and the condition on which it should terminate, was avowed, in every step of the system, to be the orders in council and their repeal. Sailors' wrongs were to be sure conspicuously blazoned in the president's war-message, and in the manifesto of the committee of foreign relations. But this proves no more than that when war was determined on, it was deemed advisable to make out as strong a case as possible, either to excite the sympathy of the world, or to rouse the indignation of our own citizens. The impressment of our seamen was grouped in the picture with the dearly-bought Henry plot, the at least dubious excitement of Indian hostilities, and the adjusted controversy about constructive blockades.

The orders in council were emphatically and exclusively the cause of war. And had it not been for very many weighty considerations, to be found in the state of the world, in the nature of the war in Europe, out of which proceeded this violation of neutral rights; in the conduct of the other mighty belligerent, her injuries, her menaces and intrigues, and in the peculiar condition of this country, actually growing into unexampled prosperity, under the very state of things of which we complained—had it not been for these, and considerations like these, that, trumpet-tongued, warned us from the gulph into which we were about to plunge, the orders in council would have justified the resort to war. But scarcely had the fatal step been taken, and the destinies of our nation risked on the fortune of the sword, when the obnoxious orders were revoked, the causes of war removed, and an honourable opportunity afforded of returning to the happy state of peace, commerce, and successful enterprize. It is not contended that the revocation removed all our causes of complaint; but as it removed the cause of war, hostilities should *instantly* have been suspended, and a fair manly effort made to settle by negociation all unadjusted differences which had not caused the war.

It had been said that the orders in council were only conditionally revoked. But was not this the case likewise with the repeal of the French decrees? Besides, the president himself had declared, that "the repeal of the orders in council was susceptible of explanations meeting the just views of this government."

Mr. Gaston admitted that the impressment of American seamen was a serious grievance, and that the government would forfeit its claims to the respect and affection of its citizens if it neglected any rational means to secure their rights. Seek, said he, to obtain this security by practical means. If you cannot by substitute obtain an abandonment of the right or practice to search our vessels, regulate it so as to prevent its abuse—waving for the present, not relinquishing your objections to the right. Do all that can fairly be asked of you to supersede the necessity of the practice. When this is done, and you should nevertheless fail—when war is rendered necessary to obtain a practical and reasonable security for American seamen against the abuses of impressment, then that war is just. Whoever may question its expediency, none who admit that wars may ever be justly waged can feel any conscious scruples in yielding it support.

Mr. Gaston ridiculed the idea of the invasion of Canada being the most economical and effectual method of defence of our frontiers and seaboard, and insisted that it was that alone which endangered them. An invasion of the United States, said he, but for the purposes of diverting your forces from Canada, or retorting on you the distresses of war, cannot enter into the scheme of British or Canadian policy. It is not to be prosecuted but at vast inconvenience and expence, with great loss of useful soldiers, under a certainty of ultimate failure, and without hope of glory or gain.

At one of the consequences that was to result from this war Mr. G. professed to be much alarmed. Patriotism had at first been relied on to fill the ranks, and had failed. Avarice is now resorted to. Should this fail, said he, it has been avowed that the next scheme is a conscription. It is known that this scheme was recommended even at this session by the war department, and that it was postponed only to try first the effect of enormous bounty. If such a doctrine, continued Mr. G., be engrafted into this constitution, I shall regard it as without value, and care not for its preservation. Even in France, where man, inured to despotism, has become so passive and subservient as almost to lose the faculty of feeling oppression, and the capacity to perceive it, even there, the tyranny of conscription rouses him to the assertion of his innate freedom, to struggle against slavery in its most malignant form. And is such a principle to be introduced into our benign, our free institutions? Believe me, the attempt will be fatal.—It cannot succeed but by military terror.—It will be the signal for drawing the sword at home.—Americans are not fitted to be the slaves of a system of French conscription, the most detestable of the inventions of tyranny. I

hear it whispered near me, this is not worse than the impressment of seamen. It is worse, infinitely worse. Impressment forces seamen to serve in the public ships of their country, instead of pursuing their occupation in the merchant service. It changes their employment to one more rigorous, of longer continuance, of greater danger. But it is yet employment of the same kind.—It is yet employment for which they are fitted by usage and education. But conscription is indiscriminate in the victims of its tyranny. The age not the pursuit of the conscript is the sole criterion of his fitness. Whatever be his habits, whatever his immediate views, whatever his designed occupation in life, a stern mandate tears him from the roof of his father, from the desk, the office, the plough, or the workshop, and he is carried far from home to fight in foreign climes the battles of ambition. But even if conscription were not worse than impressment, I should not lose my objection to it—I am not prepared to assent to the introduction of either conscription or impressment into my country. For all the British territories in the western world, I would not. Fight for sailor's rights—yet rivet on our citizens a French conscription! Fight for rights on the ocean, and annihilate the most precious of all rights at home—the right of a freeman never to be forced out of his own country!—How alarming is the infatuation of that zeal, which, in its ardour for attaining its object, tramples in the dust objects of infinitely higher price!

Mr. Cheves said, that the principal causes in which the war originated, were the operation of the British orders in council on our commerce and the impressment of our seamen. These were distinguishable from the other causes of dispute between the two countries by this striking circumstance, that they were always present, active, and progressive. If our causes of complaint had been confined to past injuries and insults—if we had only had to suffer the loss of the many millions of money of which Great Britain had robbed our citizens by her depredations on our lawful commerce, we might and probably would have continued to remonstrate and negotiate, and still have avoided war, to which our government had an aversion so strong as to wear the semblance of pusillanimity.—But it was the daily continuance of the injuries, the incessant infliction, and the absence of all hope that these injuries were to end, that drove the nation necessarily and unavoidably to resistance; unable to carry the productions of our own soil on the highway of nations—the great ocean, of which, like the light and air, it was intended by nature none should have dominion, to ports not blockaded, without exposing them to almost inevitable capture, and this

often in the mouths of our own harbours, was a situation which affected vitally not merely the interests but the independence of the nation. To have endured it would have sunk us to a rank so degraded among nations, as could not have failed to draw upon us the everlasting contempt of the world. I have, however, no hesitation in admitting, that, had I known of the revocation of the orders in council at the moment of the declaration of war, I would not have voted for it. But whatever the effect of this revocation might have been in preventing war, had a knowledge of it in this country preceded war, yet the subject presents a very different aspect after war has been declared. It is impossible not to see and to feel that, were we to make peace without any security against that abuse of our rights which formed the other great cause of war, it would be an obvious and unequivocal submission to the claim of right which the enemy sets up, and to the injurious and abusive exercise of this claim which we have so long suffered. This idea is strongly presented by the reflections with which I commenced in speaking of the nature of the principal causes of the war; namely, that it is not an injury, no matter how great in extent, which has ceased to be active, and which has therefore lost in a great degree its offensive character, but one which is daily and hourly repeated, intermitted only by the existence of actual war, under circumstances too intolerable to be borne by a nation not dead to all the feelings of honour and of shame. Exemplify the result of a peace without any arrangement on this subject.—If it would not leave the government the ordinary means of remonstrance, it would leave nothing but a disgraceful submission to the insulting injury. Now I aver that the ordinary means of remonstrance would not be left to the government. These means enable it to state not only the injustice of the cause of complaint, but that, if persisted in, it will lead to national resistance—to war. But were we to conclude a peace with Great Britain without any arrangement on this subject, should we be able to say to her afterwards, desist, or war will be the consequence? No, she will reply—it is not cause for war, for you have yourselves, when it continued a subsisting injury, when our pretensions were unabated and our practice unrestrained, except by the existence of war, actually abandoned a war in which you were engaged with us for this very injury. It would therefore be absurd to suppose, that you would make war for a cause which did not forbid you to make peace. On this principle I justify the conduct of government in rejecting the armistice proposed by admiral Warren. That proposition denied even a temporary suspension of the abuse, and therefore left us no hope of a permanent security against it,

the expectation of which alone could have recommended either an armistice or negotiation. It is not contended by this government that Great Britain shall renounce the claim of right, as the only condition on which it will put an end to the war. I do not found my opinion on any knowledge of the counsels of the executive branch of the government; of these I have no knowledge; but I speak from its public acts, from the public declarations of those who have its confidence, and from the evidence of circumstances which surround us. From all these I have no difficulty in saying, that all this government demands is a reasonable and practicable security against the abuse of the practice; and I venture to say, that were the minority in power to-morrow, they would not conclude a peace on terms less favourable—they will not, as the minority of this body, declare that peace ought to be made without this security. They will not venture to meet the people of the United States with such a declaration. If they do, the majority need not fear the consequences.

The past conduct of the war, although it cannot be entirely defended, may admit of some excuse. When it is recollected that this nation was roused by the declaration of war from the slumbers of thirty years of tranquillity and peace—that it was without officers of experience, without military science or military establishments—when we recollect the comfortable mediocrity of fortune which our citizens enjoy, which gives them homes and families from which they reluctantly part—when we recollect the high spirit of liberty which is breathed by every man in our free and happy country, where the poorest man sees in the most exalted only his political equal, which, however great the political boast, is yet a circumstance the most incongruous with the spirit of subordination, and the habits of discipline and obedience, which are necessary to form soldiers—when with such means, and of such materials, our army was to be formed, we ought to have been prepared for many of the disasters and disappointments we have suffered. But just in proportion as we should have expected disastrous results, we confidently relied upon success, and the public mind was consequently prepared to magnify our misfortunes, and to look at the future with despondency. From this cause we have been able to see but one side of the picture. Could we penetrate the councils of the enemy, and enter into his sensibilities, we might discover that our misfortunes have been magnified, and our successes diminished, by the optics which have heretofore presented them to our view. Let us compare our own situation with that of the enemy. Let us enter into his sensibilities and disappointments, and compare them with our own. There are but two

signal instances of discomfiture of which we complain: the first in the surrender of Detroit, and the second in the failure of the expedition against Montreal. These are our principal misfortunes. On the other hand, we can boast the destruction of Proctor's army, and the successful attack and capture of York. Let us take the enemy's view of these events. Neither of the officers of the enemy who commanded on these occasions has since been employed. Proctor has suffered the severest censure, in the general orders of the commander in chief, that language can express, and Sheaffe, it is understood, has been sent to England, perhaps for trial for his misconduct. The enemy, then, supposes our successes on these occasions, however we may regard them, as heavy misfortunes to his arms. The victory of Harrison was such as would have secured to a Roman general, in the best days of the republic, the honours of a triumph! He put an end to the war in the uppermost Canada! The attack on York was highly spirited, and the success was brilliant and complete—and this, too, under the disadvantage of having lost the commanding officer, the gallant Pike, at the moment when the harvest of victory was to be reaped. The war on the land has not, then, been so disastrous or so dishonourable as we have sometimes supposed.

But on what principle, in estimating the character and effects of this war, are gentlemen authorized to separate the operations on land from those on the ocean and the lakes? I claim not exclusively for my own political friends the honours of our naval triumphs—I was among the first to accuse them of their neglect of this service, and to urge them to cherish and support the naval establishment. But I cannot either allow to the gentlemen in the opposition the claim which they affect of being the exclusive friends of the navy.—They have discarded the man (the late president Adams) who was its greatest patron, and rejected from the times which they love to call their own, the period in which it received its greatest and its happiest impetus. But let its patrons and its friends be whom they may, I have a right to claim its merits for the country; and when we connect our naval deeds with the other events of the war, who will venture to say this has been an inglorious war? An inglorious war! Insult not the gallant men who have fought and bled in your battles, and yet live with high claims to your applause. Tread not so rudely on the ashes of the heroic dead.

It is said that the negociations which are pending should make us relax in the prosecution of the war, and confine our operations to the single object of our own defence. It would be sufficient to oppose this advice by the practice of every country and

every age, by one of the best known maxims of national policy—that your preparations should be greatest at the moment that you most anxiously desire and most earnestly seek peace: and by one of the most frequent results of national experience, that exactly in proportion to your ability to do your enemy injury do you negociate to advantage. Let us suppose the negociation to fail, and that, in the mean time, we neglect the establishment of an efficient army, what disgrace and what calamity might not be the result! We are told that our past misfortunes should admonish us of our inability to wage the war upon the land, and we are particularly advised not to attempt the invasion and conquest of Canada. Our misfortunes, it is admitted, should lead us to the practice of caution, but should not deter us from the exercise of our faculties; they should rather animate us, as we may hope to remove their causes, to more vigorous efforts. I should consider the prevalence of the opinion, that the nation was unable to wage this war, as one of the heaviest calamities it could suffer—as the very greatest calamity it could be doomed to suffer. But I am sure there is no foundation for the opinion, if the power and resources of the nation be properly called forth and employed. The invasion of Canada is supposed by gentlemen in the opposition to be the most exceptionable way in which the war can be waged. It is said Great Britain will not surrender Canada, and that it is therefore useless to take it, as the war will be rendered interminable should we attempt to retain it. But as it is seen that the retention of Canada is not a necessary consequence of its conquest, or the only way of making it useful in the attainment of the end of war—a removal of the principal causes of war—it is found necessary to give another basis to the argument, and it is said, that Canada is of so little consequence to Great Britain, that she will sacrifice it rather than give up any important commercial right or privilege. I shall not stop to notice what appears to be an inconsistency in these arguments, but say, it is denied that this government claims of the enemy the surrender of any important right or privilege. It claims not even a surrender of the pretended right of searching our ships for her seamen. We only ask an *arrangement* which shall prevent an abuse of the practice. We demand only a security against the abuse of her power, which shall exempt our own seamen, our own citizens, from the intolerable outrage of impressment, and this Great Britain will grant us, rather than surrender Canada, or continue the war, unless we suffer it to languish.

I agree with gentlemen who say that Great Britain will not surrender Canada. Its value for its trade and supplies is not

the favourite view in which that possession is considered by the British nation. It is connected with the most brilliant era of their history—that of the wars of Chatham. They would part with twenty sugar islands rather than give up the barren rock of Cape Diamond. They consider it as one of the most brilliant ornaments of the British crown. It is inseparable from events which emblazon the pages of their history, which animate the eloquence of their orators, which give confidence to their statesmen, and inspire with valour their soldiers, and with patriotism their people. The peasant who has not learned his alphabet, can read in that possession his country's glory, and in a rapid and intuitive glance see the pride and power of France and Spain humbled by the British arms. In imagination he stands upon the cliffs of Quebec, and, looking down from the fearful height on the flood beneath, admires the daring valour which ventured to assail its lofty battlements. In imagination he treads the plains of Abraham, and talks (as he had heard his fathers talk) of Wolfe and of Montcalm, and how they beat the French, and how the manly, mighty counsels of Chatham elevated the character of his country, and spread her glory through the world. Now it appears to me, that this state of things presents the happiest means of carrying on the war with a reasonable hope of attaining its just object—an honourable peace. We have at our doors, within the reach of our most effectual blows, a possession highly vulnerable, which our enemy greatly prizes, and will most reluctantly suffer to be wrested from him. Consider these circumstances, and connect them with the many other inducements which Great Britain has to make peace with us, and it would seem, if we are true to ourselves, if we exhibit an honourable spirit and make a manly effort, we will effect an honourable peace at no distant day.

Great Britain needs, and ought to desire, a peace with this country. What inducements has she to continue the war? All we demand she can grant without affecting her interests, her honour, or her pride. We only want a security against the abuse of her power. By the continuance of the war, she cannot add to her power, or her glory, or her gains. How can she add to her power? No one imagines, if she could conquer, that she could retain a foot on our territory. Her glory? On this point she has every thing to lose and nothing to gain. Could she capture every vessel of war we have, when the superior force with which she would do it is considered, it could add nothing to her national renown. It is a war which can yield her no laurels. Nor can it yield her any pecuniary advantage. This is to be sought with us in the paths of peace. What on

the other hand are her inducements to put an end to the war? The expence of the war is alone sufficient. It is a war on her part whose effects can bear no proportion to its expense. It is in its nature vastly expensive and burthensome to her. Recollect the vast expense she incurred in our revolutionary struggle, which heaped up so immensely her national debt, and we will be able to form some opinion of the probable magnitude of her expenditures in this war. It will be a moderate estimate to say, that it costs her double the sum we expend, and that will make this war, in which she cannot boast a trophy or risk a hope, cost her fifteen millions of pounds sterling per annum. More, probably, than the war she has lately carried on, with so much glory, in Spain and Portugal. More, certainly, than she expends to animate and sustain all the allied powers of the continent in the great contest in which they are engaged. But, what renders this expense more burthensome and embarrassing is, this a war in which the expenditure is made abroad. Were three times the sum expended in the kingdom it would less distress the nation. It would then only change hands—it now passes entirely away.

There is another very powerful reason why Great Britain should desire peace with us—this is founded in the advantages of our trade. I know we have overrated the influence of our trade as a measure of coercion, but it is notwithstanding unquestionably highly valuable to her. The loss of it would not induce her to make a great sacrifice of interest or feeling, but at any moment when she should suffer no motive but her real interests to govern her, it would be a very powerful pacificator. We were, when a good understanding subsisted between the two nations, her best customer. We took from her two-fifths of all the exports of her woollen manufactures, which she has always considered her great staple, and a vast, if not an equal amount of her cotton goods, besides other articles; and when peace shall be again restored, we shall again be her best customer; for, whatever may be thought to the contrary, there will be no changes wrought by the war, unless it be very long continued, which can materially alter the commercial relations of the two countries; and she may justly hope, on the restoration of peace, for a restoration of our valuable custom as a purchaser of her manufactures. Our trade is rendered even more necessary to her by the great demand which is said to exist for her manufactures in the markets of other countries, because we furnish the raw materials of many of them, of better quality, and on better terms, than any other country can. They cannot, for example, from all the colonies of the world, completely substi-

tute our cottons; their endeavours to establish the affirmative of this proposition, to my mind, very satisfactorily shew a material dependence upon us for this article. Does it not then seem that the terms which we demand of the enemy are reasonable and attainable?

Mr. Calhoun denied that American seamen were impressed only by mistake, and not by principle. By recurring to official documents on this subject, said he, it will be found that Britain impresses persons on board our vessels, who could not be mistaken for British sailors. She takes indiscriminately Dane, Dutchman, Spaniard, and seamen of any nation. To speak another language, and to wear a different complexion, are, it seems, no evidence with the British government that he is not an English sailor. What then is the principle of that government on this subject? If we are to judge by facts, and not by pretexts, which will never be wanting if we are simple enough to believe them, it is this: they claim, at least so far as we are concerned, that every seafaring person found on the ocean is presumptively an Englishman, and bound to serve the crown of Great Britain. They admit, it is true, this presumption to be rebutted in a single case, and only in that; by the seaman proving that he belongs to the country under whose flag he sails. But the impress officer, the very person interested against him, is the judge and jury in this mock trial of nativity; and thus an American citizen holds his life and liberty at the mercy of an insignificant drunken midshipman!

It is urged, continued Mr. Calhoun, that this is an ancient custom on the part of England, and Europe generally: that it is a part of the law of nations to impress on board of neutral vessels on the high seas. Those who urge this argument ought to substantiate it by a reference to the facts, and to elementary writers on public law. Till this is done, it cannot be considered in a stronger light than a mere assertion. If it were a general custom, why not recognized by some of the many writers on the laws of nations? They minutely state the cases in which a belligerent may enter a neutral vessel for the purpose of search. Why not this also? None of the rights of search would be more important and would better deserve their attention than this, if it really were one. Their silence, then, is decisive against the custom. I know that some English writers have set up an old claim formed on the orders of their government; but there is no proof of acquiescence on the part of other powers; and if they had, it could not be obligatory on us. The law of nations is composed principally of usages originating in mutual convenience. Among the nations of modern Europe who are distinguishable by their language and countenance, it is possible

that impressment on board of neutral vessels there may not be liable to the mistakes and abuses of which we complain, and even that it might be a mutual convenience. Such a custom, then, would not be extraordinary. But were those nations related, as are America and England, and if the practice must from necessity be attended with incessant abuse, it never could exist. If our opponents, then, had proved, and not merely asserted, such a custom, as between us and England, our country would have formed an exception. It is not applicable to our condition; it is unequal, not reciprocal, and attended with incessant abuse. As applied to us, then, the general usage, if there were one, ought to be removed by treaty, so as to suit the mutual convenience of both parties; an object which this country has ever been anxious to effect, but which has been studiously avoided by our enemy. If, however, our opponents still insist that it is a right under the law of nations, and must, notwithstanding the argument which I have advanced, be considered as applicable to us, we may meet usage with usage; or rather doubtful, uncertain usage, and opposed to reason, with that which is undoubted, and founded in the very essence of civil society. If to impress in neutral vessels is an usage of England and the rest of Europe, how much more so is it to afford protection to the subjects against foreign violence! This is the usage which is certain and universal—not confined to any particular nation—not originating in accidental circumstances; all states, the most weak and contemptible, claim it; and it is so mixed into the very essence of society, that it cannot be relinquished without certain destruction. On this custom, which combines both right and duty, we may oppose any pretext or claim of our enemy.

But, say some of our opponents, we are willing to defend native born American seamen, but not the naturalized. I know not how those who make this distinction can answer a simple question founded on fact. American seamen, yes, sixteen hundred, at least, native born American seamen, by the acknowledgment of the British government, are impressed and held in bondage. If, then, you are willing to defend such, why not support the war now carried on solely for the defence of these unfortunate citizens? What avail is the declaration, that you are willing to defend them, when you will not move a finger in their cause? But the distinction between native and naturalized is without truth or reason. It constitutes no part of the controversy between the two countries. We contended for the defence of American seamen generally; the enemy has not distinguished between the one or the other class. He insists on con-

tinuing a custom which makes both equally liable to his oppression. We will not, we cannot hear of a distinction, till some security is afforded against the abuse of which we complain. Till then I can consider it only as an equivocation, which acknowledges the duty of the government to protect, but evades the discharge of it.

After briefly noticing the injuries inflicted by Great Britain on our commerce, Mr. Calhoun observed, that the English maritime belligerent policy was peculiar to her, and in opposition to the interest of the rest of the world. It is the interest and wish of all other civilized nations to ameliorate, or, if the expression is justifiable, to humanize the belligerent rights on the ocean. England stands alone. A signal proof of this may be found in the history of the armed neutrality, which had for its object the restriction of some of those pretended belligerent rights. Russia, Sweden, Denmark, Portugal, Spain, and even France, though then a belligerent power, acceded to it. England alone refused. It may, however, be said, that France too has often committed injuries on neutral trade. The fact is admitted. But without wishing to apologize for her, I conceive there has been a marked distinction (arising out of her situation) between her conduct and England. The latter has steadily pursued a policy hostile to neutral commerce on established principles; the former has been irregular in her hostilities, indicating more of passion than system. Besides, she has always expressed a regret for her injuries; and represented them, however unjustifiable, as intended to counteract those of England.

A policy so injurious to the common interests of mankind must sooner or later unite the world against England. For many years her encroachments, under the dread of France, have advanced without exciting much jealousy. The attention of all the nations of Europe was exclusively directed to the maintenance of their existence, menaced by the power of France. Liberated now from fear, they will soon have leisure to attend to their interest. Then will the wisdom and spirit of *our* country be universally applauded. Our situation was trying and responsible. We alone had to sustain all the rights and duties attached to the neutral character. We were not intimidated by its difficulties. We dared, single handed as we were, to make a stand against the favourite and obstinate policy of our enemy. The present and temporary interest of commerce was nobly surrendered for its permanent advantages. The example can scarcely fail to produce its effect. We have already had success worthy of our cause. The future is audibly pronoun-

ced by the splendid victories over the Guerriere, Java, and Macedonian. We, and all nations, are in them taught a lesson never to be forgot. Opinion is power. The charm of British naval invincibility is broken.

In this, the only just view of our contest, how pitiful appear the objections of our opponents! Some pecuniary difficulties in Massachusetts and in other places. And must we for them renounce our lasting prosperity and greatness? Have we no fortitude; no self-command? Must we, like children, yield to the impulse of present pleasure, however fatal? If the maritime parts of Massachusetts suffer, let them remember that, if the war should be successful, if our future commerce and navigation should be secure, they will partake most largely in the advantages, common and great indeed to all, but peculiarly so to them.

Suppose that our opponents, who object to every thing, had been at the helm of government, and that an opposite line of policy had been pursued. No embargoes, no non-intercourses, no non-importations, no war, and, in fact, no resistance to the injuries and aggressions of Great Britain— who can be ignorant of what would have been the consequence? They would have multiplied in number and degree till our commerce would be annihilated. Unresisted, they would constitute future principles, and our acquiescence be construed into an acknowledgement of their truth. Then would we have felt what the experience of all ages has taught; that it is more easy to maintain than to wrest back usurped rights. Wrongs submitted to produce contrary effects in the oppressor and oppressed. Oppression strengthens and prepares for new oppression; submission debases to further submission. The first wrong, by the universal law of our nature, is most easily resisted. It excites the greatest degree of union and indignation. Let that be submitted to; let the consequent debasement and loss of national honour be felt; and nothing but the grinding hand of oppression can force to resistance.

Such were the alternatives presented to our country; and such would have been the result of the opposite policy, now recommended and applauded by our opponents.

§ 7. The next topic discussed in the debate on the loan bill was that of naturalization and perpetual allegiance, and, as connected therewith, the retaliatory measures adopted by the president.

Mr. Sheffey contended, that native allegiance was unalienable, and yet not at all in conflict with the practice of naturalization, which was a mere municipal regulation, whose effects could not

extend beyond the limits of our territorial jurisdiction. It has been urged, said he, that we stand pledged to those who have been naturalized under our laws, to protect them wherever they may think proper to go, even against the claim of their native sovereign when within his jurisdiction. It is said that congress are authorized to establish a uniform system of naturalization; that they have by law prescribed the requisites to which foreigners must conform; and when they do so (as there is no limitation) they become citizens to every possible extent. This is plausible, but not the less incorrect. The error consists in misconceiving the nature and effect of municipal law. The convention who framed, and the people who adopted the constitution, did certainly not conceive the absurdity that they could invest congress with the power of making laws which should operate beyond our jurisdiction. They granted the power to pass laws for the naturalization of foreigners, to have the effect of other municipal laws, confined, in their operation, to the territorial jurisdiction of the country where we are sovereign. When a foreigner therefore is naturalized, he becomes entitled to the benefits, and subject to the duties, which municipal law can bestow in the one case, and exact in the other; but nothing more: so long as he remains here he is entitled to the rights and subject to the duties of an American citizen, because he is within the protection of our laws. But when he returns to his native country, or goes on the high seas, where, for certain purposes, and to a certain extent, all nations have common jurisdiction, his original allegiance revives, or rather the means to make it operative are revived, and he is to every intent restored to the character of a British subject, because he is within the legitimate influence of the laws of the community of which he was first a member, and which never absolved him from his duties. All conflicting obligations which he has contracted while here are suspended until he returns.

It is contended, however, that the doctrine of perpetual allegiance violates the principles of natural law, which authorizes every one to pursue his happiness where he deems it best attainable. The idea of natural right in opposition to the duties in a social state, is at war with all governments. It is the natural right of the strong to redress his injuries by the exercise of his physical powers; but how preposterous would such a defence be, where the personal rights of the weak were violated, even in the rudest societies! There is indeed a principle of natural law connected with this subject, but which, instead of supporting the individual right claimed, is in direct hostility to it: I mean nature's first law, pervading all animated beings—the right of self-preserva-

tion. Every community has the unquestionable right to preserve and perpetuate itself. And the means to effect it, as well as the time and manner of applying them, cannot be left to individual judgment, but the discretion of those in whom the sovereign power resides. Hence it has the right to declare, that no one shall abandon his native soil in times of great calamity, when the existence of the society is threatened by a powerful enemy, and when all the aid of its members is required to make a successful resistance; to declare that, though he may leave his native soil and pursue his happiness in foreign climes, he shall never be permitted to turn his arms against the country that gave him birth; or to adopt any other regulation that may tend to preserve its security. Without this power, every community is at the mercy of another, who may hold out inducements to detach its members; and thus, by lessening the number on the one hand, and increasing it on the other, ultimately subjugate and destroy it. A government, by permitting its people to leave its territory, does not absolve them from their allegiance. The sovereign authority of a country may not deem it necessary to restrict its people to their native soil, but permit them to pursue their interest in foreign climates; but is it reasonable or just to construe this act of lenity into a license to associate themselves with those who make war upon it, without committing any offence? Surely not. Should conflicting duties be created by a person thus permitted to emigrate, it is not the fault of his native sovereign but his own, and therefore the act must be at his peril. There are, however, few, if any cases, where they could arise: because the party abroad, in merely rendering obedience to the laws of the country where he is resident, is discharging the duties of local allegiance, which, by the public law of nations, every one owes to the sovereign in whose dominions he resides. A British subject here before the war, therefore, may be required to defend this country against British forces, and his doing so will not subject him to any punishment if he should fall into their hands, because the act is not voluntary.

Mr. Hanson viewed the subject of naturalization in the same light as Mr. Sheffey, namely, as a mere municipal regulation. By claiming to give our naturalization laws an extended operation to other countries, said he, we interfere in their internal government, we set up the lofty pretension of legislating for the whole world. The principle of perpetual allegiance he carried to a greater extent than Mr. Sheffey. I do not confine, said he, the position to British subjects naturalized here, and made captive within the dominions of their sovereign, where the arm

of protection cannot be extended, but if the armies of the enemy crossed the lines, and made prisoner a Briton in arms against Britain, he is as much a traitor as if taken in the heart of the British empire. Mr. Hanson noticed the case of Clark, who was taken as a spy, and discharged by Mr. Madison, and the case of Williams, decided by judge Ellsworth, in Connecticut, to show, even by our laws, that allegiance is perpetual. The celebrated case of M'Donald, he said, showed what the law and practice is in England and France, who never thought for a moment of resorting to retaliation, for the trial and condemnation of an adopted citizen, who had lived in France from his infancy, held a commission in her service, and was taken in arms against England, and tried as a traitor. Such men, continued he, are traitors, in the legal true sense of the word, and ought to be treated as such. The good of society, and the safety of governments, requires it. If the president, therefore, proceed in the system of retaliation which he has commenced, he is answerable, here and hereafter, for all the American lives wantonly sacrificed.

Mr. Jackson said, he did not expect to have heard such a slavish doctrine as that of perpetual allegiance urged in this place. What, said he, man belong to the soil! Man, whom God created in his own image and likeness, and to whom he gave dominion over the earth and sea, and all that in them is, shall he be bound to the land where he is accidentally born, from which perhaps his parents and all his race are either driven, or were destroyed there, by the tyrant hand of oppression! In times of extreme peril the state might exercise such a power, but to hold it good in all cases was a doctrine more suitable to the despotic regions of Russia or Prussia, than to the legislative hall of a free commonwealth. The power of naturalization has received the sanction of all parties; it was first exercised by the Washington administration, and even the old congress of the revolution in their addresses, particularly to the inhabitants of Ireland, in the most eloquent language invited them to come and live with us as members of our political family; and although no direct invitation is now given by this government, yet, when a foreigner comes under the faith of our constitution and laws, conforms to their provisions, and becomes a citizen, a contract is entered into of the most solemn character and binding solidity on his part, that he will serve the country faithfully as a citizen, and on the part of the country, that it will protect him in the enjoyment of his rights: he owes obedience to our laws, is bound to give his money in taxes, and his personal services in battle, and if taken prisoner it would be disgraceful to us as a

nation, to permit the enemy with impunity to hang him as a traitor.

Mr. Gaston reprobated in strong language the system of retaliation which had been adopted by the president, and quoted the case of the French emigrants who were taken at Quiberon, and afterwards executed in France; and the cases of Dr. Story, colonel Townly, and Eneas M'Donald, in England, to show the practice of the European governments in that respect. Story was a native of England, but had long quitted that country, had become a subject of Philip of Spain, and had actually been received as ambassador from Philip at the English court. He was indicted for treason—he pleaded the fact of his having become a Spanish subject—the plea was overruled—he was convicted and executed. The case of colonel Townly occurred in 1746. He was indicted for treason in aiding in the rebellion of 1745, was convicted and executed; notwithstanding the fact of his having become a French subject, and bearing a French commission. The case of Eneas M'Donald in the same year was more remarkable. He had left Scotland, his native land, a mere infant, and ever afterwards resided in France. As a subject of the king of France, and an officer in his army, he accompanied the pretender in 1745—was taken prisoner, indicted for treason, and convicted. He was, indeed, not executed. The hardship of his fate excited commiseration, and, upon the recommendation of his jury to mercy, his sentence was commuted into perpetual banishment.

The permission to British subjects to leave that country, he said, was not an implied consent to throw off all allegiance to it. Such an implication is done away by the very terms of the permission. The law is as old as Magna Charta, and has been uniform down to this day. '*Liceat unicuique de cetero exire de regno nostro et redire salvo et secure per terram et per aquam*, SALVA FIDE NOSTRA.' 23*d Article Abbott's edition of Magna Charta.* 'It may be lawful for every one hereafter to go out of our kingdom and return safely and securely by land and by sea, saving his faith to us.'

This law against the alienation of allegiance is no relict of tyranny; it is founded in the analogy of nature, and essential to the harmony of the world. There is a striking similitude between the duties of a citizen to his country, and those of a son to his father. When the boy has attained manhood, and the father's care is no longer necessary to guard him from daily harms, he is at liberty to quit the parental roof, to become the inmate of another family, there form connexions essential to his happiness, and take upon himself obligations of respect and

tenderness as the adopted son of other parents. But is nature's first great bond utterly severed? Can he return at the bidding of his new friends to ravage and destroy the home of his childhood, and pollute it with the life-blood of those from whom he received life? Would this be but an ordinary trespass, a common homicide, which provocation might extenuate, excuse, or even justify? An association, formed by a resurrection of the wretches who have died on the gibbet, would disdain such a principle in their code. What is the jargon of modern expatriation, but the same principle interpolated into the code of nations? The peace and independence of every state demand, that the citizen should not be released from the just claims of his country by the interference of foreign powers. Give to such interference this effect, and every nation is made dependent upon the arbitrary exercise of a foreign right to controul and regulate its vital concerns.

Mr. Robertson, of Louisiana, said, that he could not but express his astonishment that emigration should be the theme of reprobation in the United States. Are we not, said he, a community of emigrants? Are we not, remotely or immediately, all of us emigrants? One would really suppose, that, like the Welch, we had our genealogical trees, and that we could, without difficulty, point to our antediluvian American ancestors. What can be more ludicrous than to find individuals denouncing the principle of emigration, from whose tongues a foreign dialect has not yet worn away; men who, if Holland should rehoist her flag, and practise on the principles of the British, would run a risk, if they dare trust themselves at sea, of being impressed as Dutchmen, just as Americans are mistaken for Englishmen*?

The right of expatriation or emigration belongs to man. It is derived from the God of nature. He holds it not of government. That it is a natural right, is asserted by almost every writer of eminence. Need I mention Vattel, Burlimaqui, Wycqkefort, and Bynkershoek? But it is attempted to be established, that although the right of emigration is clear, yet that we owe a sort of allegiance to the country of our birth from our birth, which is inalienable, of which we are not enabled to divest ourselves. A principle more absurd, more incompatible with

* There are several counties in Pennsylvania where nothing but German is spoken, and where a person who does not understand that language can with difficulty find an English interpreter. There are districts in New Hampshire, New York, Pennsylvania, and various other states, where the great mass of the population are of Irish descent, and retain all the peculiarities of that dialect. And in North Carolina, there are several settlements of Scots, to whom the same remark may be applied.—EDITOR.

acknowledged rights, both of individuals and of independent sovereignties, was never attempted to be proven. It is incompatible with the right of individuals, because it renders their right of emigration incomplete or nugatory, but the right of emigration has been admitted. It is incompatible with the right of independent sovereignties, because the right to naturalize foreigners is not denied, and this right, with the duties of allegiance to another sovereign, is thus also rendered incomplete and nugatory. To owe allegiance to a government under which we neither do nor intend to reside, is as absurd as not to owe allegiance to a government under which we do and intend to reside for ever. The absurdity of the one proposition will not be denied, and there is no discoverable difference in the eye of reason between them.

It is contended that expatriation is a question of municipal regulation. But what says Blackstone to this opinion? He was very well aware that to rest the perpetuity of allegiance on mere municipal regulation, was to do nothing. The opposing municipal regulation of naturalization would be entitled to equal weight, and that, as in the event of collision the laws of nations could alone decide, it was necessary to prop the principle with some other authority than British common or statute law. Accordingly, with a hardihood unequalled, in the teeth of every authority, in defiance of the recorded opinions of jurists, in the face of reason and of truth, he asserts that it is a principle of *universal law* that the subject of one sovereign cannot by any act of his own—no, not by swearing allegiance to another, put off or discharge his natural allegiance to the other. Yet in England their statute of naturalization declares, "that if any foreign seaman shall serve on board of any British vessel for the space of two years, he shall, to all *intents and purposes*, be deemed and taken to be a natural born subject of his majesty's kingdom of Great Britain, and have and enjoy all the privileges, &c. which such foreign seaman should or ought to have had and enjoyed, in case he had been a *natural born* subject of his majesty, and *actually a native* within the kingdom of Great Britain." Now, if the natural born subjects of Britain owe allegiance to any other country, then do the naturalized subjects owe the same: but if this cannot be affirmed of the one, then no more can it be said of the other; for they are, to *all intents and purposes*, in regard to *privileges*, *powers*, *rights*, *and capacities*, to be considered alike.

Again; according to the common law, an *alien* cannot hold lands in England; because, says Blackstone, this might interfere with his natural allegiance; but if the alien be naturalized,

he may hold lands, and then his native allegiance is necessarily destroyed. According to the laws of England, naturalization, by enabling the party to hold lands, destroys natural allegiance; and this is all that is now contended for.

It will be found that the claim now set up by England is unsupported by precedent—is at war with her own example. Prince Eugene was by birth a Frenchman; disappointed in his just or ambitious views, he quitted France and joined the Austrian army, then employed against the Turks. He received an order to return: but so far from complying, war breaking out between the two countries, he ranged himself on the side of the enemies of France: his career is well known; he defeated and humbled the proudest power that Europe had then seen; his natural sovereign, Louis XIV, did not consider him as a traitor; the surrounding nations did not consider him as a traitor. England hailed him as the greatest captain, the brightest ornament of his age. It is to British historians and British poets that we are indebted for the opinion which we have of him—opinions as honourable to his moral as to his military character. At the siege of Turin, Eugene, a Frenchman, commanded the Austrian army; the French army was commanded by count Marsin, an Austrian. In the war of the succession, as it was called, the French armies were commanded by the duke of Berwick, a Briton, a king's son; the British armies were led on by a Frenchman, of the title of Galloway. Instances of the same kind are innumerable. But will express authority drawn from England, be considered as of weight in a controversy with that government? I admit under other circumstances it would deserve but little respect, for her history furnishes examples of every absurdity and every atrocity, which wanton power has perpetrated. But it is fair to set up her former practice against her present pretensions. In the year 1794, certain corps of Frenchmen were enlisted into his majesty's armies, for the purpose of invading France.—Mr. Sheridan asked in debate, whether, if they were taken prisoners and treated as traitors, the English government would retaliate. Mr. Burke replied "yes." This gave rise to much opposition and animadversion on the part of the minority. In answer, Mr. Burke said,—"From the severity of comment to which the poor monosyllable 'yes' has been subject, the world must have been led to think that I have taken up my morals at random, or merely on sentiment, and that I was wholly unprepared to defend them on principle. As a general principle, founded on policy and the laws of nations, I am ready to repeat and maintain, that retaliation of any severity which an enemy may practise, is right and proper.

The *lex talionis* is a part of the law of nations, as founded on that of nature. These corps must be considered purely as a part of that army under whose banners they serve. God forbid that the authors of murder should not find it recoil on their own heads. Such is my opinion relative to the justice and policy of retaliation. I would suffer no one act of severity to pass unretaliated. But the right honourable gentleman is fearful that we may inflame the jacobins by this severity on our part. Inflame a jacobin! We might as well talk of 'setting fire to hell." Mr. Burke goes on to remark, that "the practice is more lenient than the mildest doctrines of theorists. To the honour of practical humanity, only four instances of wanton and unnecessary murder occurred throughout the whole course of the American war—a forbearance which reflects equal credit on both parties. In 1688, the Irish brigades were taken into the service of France, and retained their own uniform. Yet England, though often courageously opposed by these troops, has not in any instance treated them as rebels, when the fortune of war cast them into her power. In the rebellion of 1746, a whole regiment of them was taken, but no severity was practised. France, under Louis XIV., conducted herself in the same way. Many of her regiments, after the cruel and impolitic revocation of the edict of Nantz, were taken into the pay of Prussia, Holland, and Britain—yet she never sacrificed these troops when they became prisoners. The battle of Fontenoy was gained principally from the exertions of the Irish brigades, and though they fought in open rebellion, these extremities were not thought of. Lord Ligonier, an officer of great note in the English service, was a Frenchman by birth; when taken prisoner fighting against France, was exchanged in the usual course, for an officer of the same rank. Similar instances may be collected from the conduct of Germany, Sweden, and every other power of Europe."—During the same debate lord Mulgrave, then high in office, enjoying the confidence of ministers, and it may be presumed speaking with their approbation, also declared that the system of retaliation was to be adopted.

The English, it seems, then, were at liberty to enlist and embody whole corps of Frenchmen, recently arrived, to be employed expressly for the invasion of their native country, whilst we violate every principle of the laws of nations, by taking into our service an inconsiderable number of Englishmen, members of our own society, to be used as occasion might require, in our war with that government. The difference between the two cases cannot but occur to the most cursory observer. Yet "the French corps were to be considered purely a part of the army

under whose banners they served"—but British emigrants, serving under the banners of the American army, are to be considered as traitors.

Mr. Cheves said, that the subject of retaliation had been, he conceived, very erroneously considered, by the combatants on both sides of the house, to depend on the question of expatriation, to which it has very little and very remote relation. But as the enquiry was one of very great importance, he hoped he should be pardoned for discussing it first in the way in which it had been heretofore generally treated, in order that he might draw the subject from thence, without any violence to the common mode of thinking, into that point of view in which he supposed it ought to be viewed.

Perpetual allegiance, said he, is alleged to be founded on natural law, the positive law of nations, or the municipal law of each state. We will examine each; and first, the *law of nature*. In this view we are able to discover but two principles or pretences on which the duty of perpetual allegiance is affirmed, or the right of expatriation denied.—These are, the necessities of the state and the gratitude of the subject. These are the only grounds stated by Vattel, to whom alone I shall refer as my authority for positions of natural and national law, because I can refer to no better authority, the more especially as on the points for which I shall use him, I believe he agrees with all other writers*.

* "Many distinctions will be necessary in order to give a complete solution to the celebrated question, whether a man may quit his country or the society of which he is a member? 1. The children have a natural attachment to the society in which they are born: being obliged to acknowledge the protection it has granted to their fathers, *they are obliged to it in a great measure for their birth and education. They ought then to love it, as we have already shewn, express a just gratitude to it, and as much as possible return benefit for benefit.* We have just observed that they have a right to enter into the society of which their fathers were members. *But every man born free, the son of a citizen, arrived at years of discretion, may examine whether it be convenient for him to join in the society for which he was destined by his birth. If he finds that it will be of no advantage to him to remain in it, he is at liberty to leave it,* making a return for what it has done in his favour, and preserving, as much as his new engagements will allow him, the sentiments of love and gratitude he owes it. Moreover a man's obligations to his natural country may change, lessen, or entirely vanish, accordingly as he shall have quitted it lawfully and with good reason, in order to chuse another, or has been driven from it meritoriously, or contrary to justice, in due form of law or by violence. 2. As soon as the child of a citizen arrives at manhood and acts as a citizen, he tacitly assumes that character; his obligations, like those of others who enter expressly and in due form into engagements with society, become stronger and more extensive; but the case is very different with respect to him of whom we have been speaking. When a society has not been contracted for a determinate time, it is allowable to quit it when that separation can be of no detriment to the society. *A citizen may then quit the state of which he is a member, provided it be in such a conjuncture, when he can abandon it without doing it a remarkable prejudice.*"—*Vat. B. 1. ch. 19. sec. 220.*

The obligation resulting from the necessity of the state, can apply to none but extreme cases—such, for example, as the instance of invasion, or the case of war, when great numbers should suddenly abandon the state—a necessity that neither does nor can exist in relation to the few scattered instances of expatriation which the practice and experience of nations have hitherto exhibited to our view, and which form the whole of the instances about which we reason; nor can it form any foundation for perpetual allegiance in the extent in which it is claimed; which is not confined to cases of extraordinary character, such as I have mentioned, but embraces every subject born in the country, and is neither limited by time nor circumstances. The extent of that obligation, which is founded on the gratitude of the subject, must bear some proportion to the benefit that he has received and the favour that the government has conferred. Now what benefit has the subject received? When in a state of infancy, he has been protected and permitted to live up to adult years in security and peace.—But has this benefit imposed an obligation which has no limits, which is commensurate with every faculty mental and physical which the subject possesses, and coextensive with the duration of his life? The gratitude due by the citizen to the sovereign cannot be greater in the opinion of those who most revere the obligation, than that of the child to the parent—yet there is no man who would not be shocked at the injustice of the parent who should claim from his child perpetual servitude, as a debt of gratitude for his nurture.

The *positive law of nations*, which is the next ground on which this claim is to be sustained, is formed of the treaties and usages of nations. These are almost silent. There are, perhaps, no subsisting treaties or reciprocal usages on the subject: but as far as the past history of nations affords any examples, they appear to be opposed to the claim of perpetual allegiance.

The *municipal laws* of most nations establish the rights of *perpetual* allegiance, but not of *universal* allegiance. Allegiance in fact is limited by space, and not by time. The power of a government is only co-extensive with its territorial limits, and the extension of its territorial power*. Beyond these it can neither enforce duties nor extend protection. Now, the basis of allegiance is protection; and all legal duties must suppose, at least in theory and in the nature of things, an ability to enforce them: but beyond the territorial limits and the extension of the territorial power of a government, neither of these exist, nor can,

* Under the term *extension of territorial power*, Mr. C. included the territorial jurisdiction exercised by a state on board its public and private vessels, the country in possession of its armies, and the certain number of leagues from its shores over which a state exercises jurisdiction.

in the nature of things, exist; and, of course, beyond these, allegiance must cease. Out of these dominions the citizen cannot be subject to a power which in its nature can only exist within them.

It has been contended, continued Mr. C., that we have not the right to naturalize the subjects of another power, in such a manner as to impose the obligation of bearing arms against that power, even when within our own territory, and that if our constitution and laws speak a different language they are nugatory. All nations, speaking generally, have, indeed, claimed the duty of perpetual allegiance, but the same nations, at the same time, have exercised the power of naturalization—the British nation particularly, without any formality of process, naturalizes the subjects of other powers in the most extensive sense of the word. Our constitution on this subject is as explicit as language can make it; and it is hardly fair for gentlemen to take for granted that all the great men who framed and signed that instrument, with Washington at their head, were so grossly ignorant of the relative rights and duties of nations as this argument necessarily supposes.

After these views of the subject, we are prepared to reconcile with the laws and practice of nations, the apparent paradoxes with the absurdity of which the disputants on either side of this question have charged each other. It is said that perpetual allegiance is incompatible with naturalization, and therefore that all governments which naturalize, to be consistent, must abandon the claim of perpetual allegiance. On the other hand, it is said allegiance is perpetual, and therefore you cannot naturalize. But these are mistakes, for allegiance being only co-extensive with the territorial limits or the extension of the territorial power of a government, each operates within a sphere which is exclusive of the sphere of the other. Thus the claim of perpetual allegiance and the right of naturalization are compatible, and the practice of nations ceases to be paradoxical and absurd. Again, it is said that naturalization is practised by all governments, and that all governments, to be consistent, should concede the right of expatriation; but this is also a mistake, for expatriation implies a total release of the subject from his allegiance, as well when without as on his return to the territory of his original sovereign, while naturalization is in its operation only co-extensive with the territory and the extension of the territorial power of the adopted sovereign. It is then not paradoxical to say, that governments deny the right of expatriation and exercise the power of naturalization—accordingly we find that governments generally have denied the right of expatriation

and have exercised, at the same time, the power of naturalization.

Having thus examined the subjects of naturalization and allegiance, Mr. Cheves proceeded to show, he said, that retaliation was not connected therewith. He contended that all the rights of the victor over the captive were merged in those of war. The original right of the victor was to put his prisoner to death. This is still his extreme right, and it still exists in such a degree as to merge and in effect to annihilate all other rights over the captive; but it is a right controlled by the mitigated usages of modern times, and these usages have become the established laws and rights of civilized war. Engrafted on these usages, to secure them from violation, arose the practice of retaliation, which, far from being, even where it extends to the deprivation of human life, an act of cruelty, is, when soberly and correctly, though sternly and inexorably applied, sacred to humanity. Were it not for this sanction, we should probably soon bid adieu to the civilized and mitigated character of modern war, which would assume its ancient ferocity.

But it is attempted to be proved by legal and historical instances, that Great Britain has punished her subjects who have been taken in arms against her, and thence it is inferred that this is the law of nations generally and of war. Were the premises admitted the conclusion would not follow. But these examples only prove exceptions to the general rule. They are cases in which power and violence have trampled on law and principle, because no national or other arm of sufficient vigour was interposed to protect and save the victims. The instances which have been mentioned are generally those which grew out of civil wars, and occurred at times when all resistance to the government had been put down, and there remained no ability in the vanquished to execute retaliation. Such were the cases of Eneas M'Donald, col. Townley, and others. Let it not however be understood, when I say that most of the instances relied upon occurred in civil wars, that therefore I admit them to have been authorized by the laws of war. On the contrary I will demonstrate, that even in civil wars, the law of nations protects the life of the captive who has resisted his natural sovereign, and secures him the rights of a prisoner of war, according to the usages of modern times; that when these rights have been violated, retaliation is authorized, and that history records the instances in which it has been successfully exercised. I hear it suggested, that in civil wars this may be the law and usage of nations, but that it is otherwise when the subjects of one sovereign join the arms of another sovereign with whom he is at war.—This does

indeed seem to be a very extraordinary distinction: it does appear to me that if this inviolability of the captive can be established to be the law and usage of war in civil contests, it is *a fortiori* proved to be the law and usage of national contests. A single authority will put the first of these positions beyond doubt.—Vattel says, "a civil war breaks the bands of society and government, or at least it suspends their force and effect; produces in the nation two independent parties, considering each other as enemies, and acknowledging no common judge; therefore of necessity these two parties must, at least for a time, be considered as forming two separate bodies, *two distinct people*, though one of them may be in the wrong in breaking the continuity of the state, to rise up against lawful authority, they are not the less divided in fact. Besides, who shall judge them? who shall pronounce on which side the right or the wrong lies? On earth they have no common superior. Thus *they are in the case of two nations*, who, having a dispute which they cannot adjust, are compelled to decide it by force of arms.

"Things being thus situated, it is very evident that the common laws of war, those maxims of humanity, moderation, and probity which we have before enumerated and recommended, are in civil wars to be observed on both sides. The same reasons on which the obligation between state and state is founded, render them even more necessary in the unhappy circumstances when two incensed parties are destroying their common country. Should the sovereign conceive he has a right to hang up his prisoners as rebels, the opposite party will make reprisals. If he does not religiously observe the capitulations, and all the conventions made with his enemies, they will no longer rely on his word; should he burn and destroy they will follow his example; the war will become cruel and horrid; its calamities will increase on the nation. The duke de Monpensier's infamous and barbarous excesses against the reformed in France are too well known. The men were delivered up to the executioner, and the women to the brutality of the soldiers. *What was the consequence?* The reformed became exasperated, they took vengeance of such inhuman practices; and the war, before sufficiently cruel, as a civil and religious war, became more bloody and destructive. Who could without horror read the savage cruelties committed by the baron des Adrets? By turns a catholic and a protestant, he distinguished himself by his barbarity to both sides. *At length there was a necessity for departing from such affectations of juridical superiority against persons who could support their cause sword in hand, and of treating them not as criminals, but as enemies.* Even troops have often re-

fused to serve in a war wherein the prince exposed them to cruel reprisals. Officers who had the highest sense of honour, though ready to shed their blood in the field of battle for his service, have not thought it any part of their duty to run the hazard of an ignominious death. Therefore whenever a numerous party thinks it has a right to resist the sovereign, *and finds itself able to declare that opinion sword in hand, the war is to be carried on between them in the same manner as between two different nations;* and they are to leave open the same means of preventing enormous violences and restoring peace."

Here, then, we see the reason on which the rights and usages of nations are applied to civil wars, is, that those who resist have swords in their hands and become assimilated to independent nations.

In short, the basis of retaliation is humanity. As no nation or body of men will suffer their enemies to put those to death who fight under their banners under any pretence whatever—interest and fear restrain an enemy from putting his prisoners to death, when he knows the act will be retaliated. But retaliation is always a question of expediency. If we were at war with a nation dead to all the sensibilities of our nature, a nation that would suffer, without remorse or feeling, its innocent subjects to become victims to a sanguinary violation, on its own part, of the usages of civilized war, we might be obliged to forbear, as we would know the object of retaliation would not be gained. But, for myself, I deem more highly of the British nation and government—I do not believe the government of that nation to be so wicked as to provoke the consequences which must inevitably follow the execution of the barbarous threat they have uttered—that they would treat as criminals the natives of Great Britain who have been taken prisoners in our ranks. Deserters alone have been permitted to form an exception to the general rule, that the life of a prisoner shall be sacred; and the humanity of modern times has even contrived the means of saving the lives of deserters. Hence the practice of permitting the garrisons of captured places to march out with a certain number of covered waggons, which are not to be searched. (Vattel b. 3. ch. 8. sec. 144.) The reason given is, that they have become numerous, and that humanity forbids their destruction—undoubtedly a very sufficient reason; but exactly the reverse of that which is sometimes urged in justification of the threat of the British government. It is said that, in consequence of the sameness of language, similarity of personal appearance, connections in trade, and ease and frequency of intercourse, those who join us are

numerous, and *therefore* it is necessary to punish them when found in arms.

I must again bring to your notice the authority which was yesterday presented by Mr. Robertson, because it bears so directly on the question before you, and affords the views and opinions of the legislators and statesmen of Great Britain herself, confirming entirely the doctrine on which the government of the United States acts at this time.

[Here Mr. C. read several extracts from a debate in the house of commons, on a bill to raise a corps of French emigrants, in which Mr. Burke was the principal speaker*.]

Mr. C. continued: no human authority can be of more value than that of this great man (Mr. Burke), who at once teaches the doctrine and gives the examples which establish that doctrine in all the extent in which this government claims the right to exercise it. It is true that in this debate, Mr. Sheridan attempts to destroy the value and impeach the accuracy of some of the instances which Mr. Burke had mentioned, but, as was to have been expected, he has not succeeded. Mr. Sheridan says,

* Lord Mulgrave said, "he rose chiefly to answer one part of the speech of the honourable gentleman who spoke last, which related to retaliation." "A contrary doctrine, he said, would lead to the most dreadful situation, for if the enemy should pursue this method of assassination, and should find that we do not do every thing in our power to deter them, they would bully us from day to day with the threat of it for the purpose of inspiring terror. He knew it was not the custom of civilized nations or of modern times to put prisoners of war to death; but if our enemies deserted that civilized practice, we must in justice to ourselves retaliate. He was perhaps going to involve himself in what he was going to say, but candour demanded it, and he should speak plainly. The ground on which he intended to proceed at Toulon was this: he should have sent out a flag of truce, stating to the enemy, *that, if any such violence to the law of nations and the feelings of humanity were offered by them, he should man for man retaliate;* and however cruel that might seem in us, and however repugnant to the feelings of human nature, he was ready to delcare he believed it to be necessary in such a situation, for if we did not proceed on equal terms we could not carry on the war at all."

In another part of the debate he said, "While he had the command of the British troops there (Toulon) and the French, who voluntarily flocked to their standard, under the authority and invitation of his majesty's proclamation, *he had always considered the latter entitled to the same protection, in every respect, from him as the British troops.*"

Mr. Dundas said, "From this topic he would refrain, not because he was less adverse to every calamitous consequence of retaliation, but because he considered every thing that might or could be said upon the subject, under the present circumstances, to be injudicious and imprudent. Generals who for humanity and wisdom have been inferior to none who have yet lived, have found it necessary, in the field of battle, to stop cruelty by retaliation." "Every thing on this subject, he said, depends upon circumstances, such as the conduct and character of an enemy, whether he be polished or savage, honourable or unprincipled."

Mr. Burke said, "as a general principle," &c. [See Mr. Robertson's speech, p. 172.]

in each of the examples Mr. Burke had mentioned, " except with regard to America, he had entirely failed. The first is the conduct of the English with regard to the Irish regiments in the French service in the year 1745 ; a space of near 60 years had elapsed when they took some of them prisoners, but it was not very probable that many of those who left Ireland in 1688 returned to invade England in 1745." " The next, he says, was the conduct of the French to lord Ligonier, who was one of the French refugees banished from France by the edict of Nantz (which was in itself one of the most cruel and barbarous actions that ever disgraced history) in the year 1682, and he was taken prisoner in the year 1747 ; a period of 65 years ; so that the probability is, that it was the father of his lordship who was a refugee ; or at least that his lordship must have been a child in arms at the time."

It seems to be a work of supererogation to attempt to support the authority of Edmund Burke, yet it may be proper to say a few words in reply to these objections of Mr. Sheridan. Though it be true, as he states, that few of the Irish brigades who entered the French service in 1688 remained to invade England in 1745, yet it is a fact well attested by history, that these corps were afterwards kept up by the enlistment of the natives of Ireland, a fact which leaves the example at least equally strong. Admit, too, lord Ligonier to have been a child in arms but a native of France, is not the example one which is diametrically opposed to the doctrine of those who in this argument deny the right of retaliation? They allow neither age nor circumstances to form an exception to the general rule.

I intended to have particularized many more examples, but the time I have already consumed admonishes me to forbear. The recent case of Napper Tandy is a strong one : but I mention it rather that it may be understood, and that its facts may be correctly stated, than to multiply examples. It has been stated that the ground on which he was pardoned was the circumstance of his arrest in a neutral territory, that of Hamburgh —and that his pardon was granted in consequence of the interposition of the authorities of that city. But this cannot be— that Napper Tandy was in the service of France when he was arrested, and that his release was demanded by France, are facts which I take to be unquestionable. Retaliation was threatened, and I believe (I will not speak with confidence) the subjects of that retaliation were designated. To this interposition of France, Great Britain no doubt yielded. We know the great pains the latter took to obtain the person of this man. She not only violated the independence of a neutral state, but she inter-

ested Russia in the endeavour to get his person into her power; and it is not easy to believe that after all this had been done, she would have been moved to release him from clemency to the individual, or respect to a weak state, whose feebleness had provoked so gross a violation of its independence.

But there is another instance, in every respect more distinguished than any which have been yet mentioned, which may be adduced to support the doctrine that prisoners of war are not to be treated as criminals, though taken in arms against their native country.—It is afforded by the conduct of the king of Prussia in the seven years' war. He recruited his army from the neighbouring states of Germany with whom he was at war, and at one time enlisted *seventeen thousand* Saxons, who were not only the subjects of his enemy but his prisoners, and yet we hear of no executions for treason, and consequently no instances of retaliation. It is from the general submission of the states of Europe to the rule of civilized war for which we contend, that we find the subject of retaliation occur rather in treatises on the laws of nations than in the examples of history. The instances are numberless in which subjects have borne arms against the sovereign of their native country, have been taken in arms, and have been treated as prisoners, while we have not had one single instance stated where the adopted sovereign has interposed his protection in which it has not been effectual.

It has been said that this is a foreign cause. If I did not consider it to be an American cause I would abjure and abandon it. I am not unaware that, by the protection given to naturalized citizens, some men of worthless and flagitious character will be embraced: but the bounties of a government, acting necessarily by general rules, like some of those which Providence dispenses in this life, must fall without discrimination on the good and on the bad. The cause, however, is not therefore a bad or a foreign cause. It is the cause of the justice, the honour, the sworn faith of the government and the people—of the native people of the soil, who are bound to redeem the pledge they have given to their naturalized brethren to protect them; and if some unworthy men take refuge under the sanctuary of its protecting shade, they will seek it and enjoy it, as the felon was used to do who fled to the foot of the altar of that religion which he had trampled on and abused, but which did not therefore reject him from its holy asylum!

And now, from all that I have said, I think I am authorized to conclude, that, while I admit perpetual allegiance to be a principle of the municipal law of England and of civilized states generally, the power of naturalization is exercised, at the same

time, by all those states; and that they are compatible with each other. That the right of retaliation does not depend on questions of allegiance, naturalization, or expatriation, but on the laws and usages of civilized war. That these concede to belligerent sovereigns the right of protecting by retaliation, if necessary, not only their naturalized subjects, but all those who fight under their banners. That all persons taken in arms, without regard to their allegiance, are to be treated as prisoners of war, deserters only excepted—and that the fate of these also is generally mitigated.

I will add one word on the duty of the executive. It is the general duty of the executive to protect by retaliation, if necessary, all those who fight the battles of the country. But this is a duty which is to be governed by circumstances, and to be executed with great caution and sobriety, but with equal decision and firmness. If government has been pledged to protect those who have borne arms, whether naturalized or not, it ought to extend that protection at every hazard and by every sacrifice which may result from a judicious exercise of the right of retaliation. It ought certainly to embrace all naturalized citizens. In relation to British subjects, who have not been naturalized, who may be in the army, they ought to be permitted immediately to retire from the service, if government has the least hesitation in extending to them an equal protection with its naturalized or native citizens. Indeed it appears to me it would be its best policy at once to permit every British subject in the service to retire—I believe it would not diminish our forces a battalion—and then steadily and firmly defend the lives of those who have been naturalized. Thus to circumscribe our duties and strengthen our resolution to perform them. It has been said that if the chief magistrate execute this threat of retaliation, and one drop of American blood be shed in consequence, his soul will be crimsoned with it. I will, on the other hand, say, if he shall fail to retaliate, if circumstances shall unfortunately require and authorize such a conduct, whatever may be the sentence of our day, posterity, judging more justly, will lament the degradation of the country, and will pity, if it do not more severely censure the weakness of the magistrate who failed to do his duty and support the character of the nation.

§ 8. Two subjects which were discussed during this debate on the loan bill still remained to be noticed, viz. the question whether the present war was offensive or defensive on the part of the American government; and, what are the rights and duties of opposition. The former degenerated into a mere war of words, without any real difference of sentiment. It was con-

tended by the majority, who seemed to consider the words *offensive* and *defensive* as nearly synonimous with *unjust* and *just*, that the character of a war was to be tested by its motive, and consequently that a war might be defensive in its nature, though offensive in its operations. The minority, on the other hand contended, that there was a perfect analogy in this respect between nations at war and individuals litigating in a court of justice. He who commences the process acts the offensive part. "He who is summoned to the controversy has the defensive part, and it is in this view immediately immaterial whether the motive to litigation be found in the honest desire to claim what is due, or in the malignant wish to oppress and defraud." The whole controversy then simply resolves itself into a dispute respecting the correct definition of two words, and has no connection whatever with the character of the war. How many of the important debates which agitate the world would fall to the ground if we only understood one another's language!

§9. The question respecting the rights and duties of opposition deserves more serious notice; it commenced in the debate on the army bills (for which see the preceding chapter), and was again taken up in the passage of the loan bill. On this occasion

Mr. Pearson, of North Carolina, said, Much clamour has been heard from the majority, against the course of opposition which the minority find themselves bound, by judgment and conscience, to give to the fatal policy which is forced on them. I should not notice the remarks of gentlemen who sounded their complaints and denunciations on this subject, were they not subversive of the great first principles of civil liberty, and calculated to encourage the wicked and mislead the ignorant. In what does our opposition consist? Are your laws resisted? No, we obey them all. Do we refuse to pay our taxes as far as we are able? No.—Do we refuse to do militia duty when constitutionally required? No.—The head of our offending must consist in this, we do not always *speak well* of you and your measures, because we cannot consistently with truth. We yet claim and exercise the privilege of inquiring into your policy, discussing your propositions, and condemning wicked men and measures as our judgments dictate. Because we will not give up those plain, unsophisticated, every-day rights, and because their exercise is not at all times most soothing to the majority; those rights are attempted to be wrested from us, by the introduction of a new political dictionary; by which inquiry is made to mean toryism; discussion, moral treason; and the exposure of weak or wicked men and measures, hostility to the government! Sir, my opposition is and shall continue to be directed by the best

dictates of my understanding, for the best interests of my country. It shall be tempered with a prudent zeal. It shall be bounded by the law and the constitution; and if assailed within those ramparts, the ruffian tyrant shall be repulsed at every hazard, because he aims his blow at the vitals of the constitution and the liberty of the citizen. In time of war, inroads on the essential principles of free government, are most easily effected; it is then that executive power makes its encroachments, and machiavelian corruption is set afloat—it is in times like those that the true patriot ought to redouble his vigilance in guarding and defending the *passes* to his liberty. I am sufficiently accquainted with human nature to know the ill effect of giving the sanction of high authority to false doctrines; the ignorant, and often the good man is deluded, and the wicked always avail themselves of it, to let loose the worst of passions, to gratify private hatred or party malice. I may be permitted here to remark, that even in the section of country where I reside, and where the majority are opposed to the policy of the war, men were found who joined in the cry—"War is now declared, opposition must cease;" trusting, I presume to the purse and sword which the war had placed in the hands of the executive, some were found sufficiently emboldened to declare, the time is near at hand, when no man would *dare* to own himself a federalist.

The opposition of a minority is, in the nature of things, harmless. If limited within the bounds of the constitution, it is lawful, and often necessary—if it transcends those bounds, there is always the disposition and the power in the majority to restrain it. The truth is, and at this day this truth is unfortunately too evident, that factious majorities are the real enemies of public liberty. To this source may be traced the destruction of republics in ancient and modern times, and from this cause we have some reason to tremble for the safety of our constitution and country. Permit me to fortify this opinion by an authority which gentlemen in the majority cannot disregard. I refer to no less authority than the present chief magistrate of the United States. In a speech of Mr. Madison, in the Virginia convention, when he advocated the adoption of the federal constitution, he thus expresses himself.—"Since the general civilization of mankind, I believe there are more instances of the abridgment of the freedom of the people, by gradual and silent encroachments of those in power, than by violent and sudden usurpations; but on a candid examination of history, we shall find that turbulence, violence, and abuse of power, by the majority trampling on the rights of the minority, have produced factions and

commotions, which, in republics, have more frequently than any other cause, produced despotism. If we go over the whole history of ancient and modern republics, we shall find their destruction to have generally resulted from those causes." This extract requires no comment, it shall have none from me, but my sanction. I will conclude my remarks by reading an extract from an elegant author (Goldsmith), who was a good whig in his day, an excellent judge of the human character, and no inconsiderable statesman.—This extract may not be inapplicable to the present times, and not totally irrelevant to the question of opposition, which has been incidentally discussed.

"There is," says this author, "a very honest gentleman, with whom I have been acquainted these 30 years, during which there has not been one speech uttered against the ministry in parliament, nor struggle at an election for a burgess to serve in the house of commons, nor a pamphlet published in opposition to the administration, nor even a private censure passed in his hearing, upon the conduct of any person concerned in public affairs, but he is immediately alarmed, and loudly exclaims against such factious doings, in order to set the people by the ears together, at such a delicate juncture. At other times, says he, such opposition might not be improper, and I do not question the facts that are alleged; but at this crisis, sir, to inflame the nation—the man deserves to be punished as a traitor to his country.—In a word, according to this gentleman's opinion, the nation has been in a violent crisis, at any time these thirty years, and were it possible for him to live another century, he would never find any period, at which a man might with safety impugn the infallibility of a minister.

"Opposition, when restrained within due bounds, is the salubrious gale, that ventilates the opinions of the people, which might otherwise stagnate into the most abject submission. It may be said to purify the atmosphere of politics; to dispel the gross vapours raised by ministerial artifice and corruption, until the constitution, like a mighty rock, stands full disclosed to the view of every individual who dwells within the shade of its protection. Even when this gale blows with augmented violence, it generally tends to the advantage of the commonwealth. It awakes the apprehension, and consequently arouses all the faculties of the pilot at the helm, who redoubles his vigilance and caution, exerts his utmost skill, and becoming acquainted with the nature of the navigation, in a little time learns to suit his canvass to the roughness of the sea, and the trim of the vessel. Without these intervening storms of opposition to exercise his faculties, he would become enervate, negligent, and presump-

tuous; and in the wantonness of his power, trusting to some deceitful calm, perhaps hazard a step that would wreck the constitution."

Mr. Gaston said, it is not to be denied that opposition may exceed all reasonable bounds, and a minority become factious. But when I hear it seriously urged, that the nature of our government forbids that firm, manly, active opposition, which in countries less free is salutary and necessary; and when I perceive all the dangers of faction apprehended only on the side of a minority; I witness but new instances of that wonderful ductility of the human mind, which, in its zeal to effect a favourite purpose, begins with the work of self-deception. Why, sir, will not our form of government tolerate or require the same ardour of constitutional opposition, which is desirable in one wherein the chief magistrate is hereditary? Let us not stop at the surface of things. The influence of the executive in this country, while he retains his popularity, is infinitely greater than that of a limited monarch. It is as much stronger as the spasm of convulsion is more violent than the voluntary tension of a muscle. The warmth of feeling excited during the contest of an election, and the natural zeal to uphold him whom they have chosen, create, between the executive and his adherents, a connection of passion—while the distribution of office and emolument adds a communion of interest—which, combined, produce an union almost indissoluble. "Support the administration" becomes a watch-word, which passes from each chieftain of the dominant party to his subalterns, and thence to their followers in the ranks, till the president's opinion becomes the criterion of orthodoxy, and his notions obtain a dominion over the public sentiment, which facilitates the most dangerous encroachments, and demands the most jealous supervision. In proportion as a government is free, the spirit of bold inquiry—of animated interest in its measures—and of firm opposition where they are not approved, becomes essential to its purity and continuance. And he, who, in a democracy or republic, attempts to controul the will of the popular idol of the day, may envy the luxurious ease with which ministerial oppressions are opposed and thwarted in governments which are less free. Intemperance of party, wherever found, never will meet with an advocate in me. It is a most calamitous scourge to our country—the bane of social enjoyment, of individual justice, and of public virtue—unfriendly to the best pursuits of man, his interest and his duty—it renders useless or even pernicious the highest endowments of intellect, and the noblest dispositions of the soul. But, sir, whatever may be the evils necessarily inherent in its nature, its ravages are

then most enormous and desolating when it is seated on the throne of power, and vested with all the attributes of rule. In the 10th No. of the Federalist, written by Mr. Madison, we find the following apt and judicious observations.—"By a faction, I understand a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community."

"The inference to which we are brought is that the causes of faction cannot be removed; and that relief is only to be sought in the means of controlling its effects. If a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote. It may clog the administration, it may convulse the society; but it will be unable to execute, and mask its violence under the forms of the constitution. When a majority is included in a faction, the form of popular government on the other hand enables it to sacrifice to its ruling passion or interest, both the public good, and the rights of other citizens. To secure the public good and private rights against the dangers of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our enquiries are directed. Let me add, that it is the great desideratum by which alone this form of government can be rescued from the opprobrium under which it has so long laboured, and be recommended to the esteem and adoption of mankind."

If this doctrine were then to be collected from the history of the world, can it now be doubted since the experience of the last twenty-five years? Go to France, once revolutionary, now imperial France—and ask her whether factious power—or intemperate opposition, be the more fatal to freedom and happiness? Perhaps at some moment, when the eagle eye of her master is turned away, she may whisper to you, to behold the demolition of Lyons, or the devastation of La Vendee. Perhaps she will give you a written answer—Draw near to the once fatal lamp-post, and by its flickering light read it as traced in characters of blood that flowed from the guillotine—"Faction is a demon! Faction out of power is a demon enchained! Faction, vested with the attributes of rule, is a Moloch of destruction!"

Mr. Forsyth, of Georgia, said, All opposition in free governments has for its end a change of public opinion, and by this means a transfer of the power, which is dependent upon it, from the hands of the incumbents to the principal agents opposed to their system. The object is honourable—the end to be

accomplished noble. What can be more honourable than to guide and direct public opinion! what more noble than the enjoyment of the confidence, the guidance of the destinies of a free and virtuous people! But the importance and greatness of the object does not justify every means of obtaining it. Like all other human pursuits, its character is fixed by the manner in which it is conducted. Have the means used by the minority since the commencement of the war been worthy of their object—have they been virtuous or vicious? I appeal to the facts upon record, and leave the decision to that people whose judgment is to be final.

It has been said that the minority know the limits of constitutional opposition—beyond these they will not travel—up to them they will march fearlessly. They are not of a school in which insurrection is taught as a virtue. They will not seek promotion through the paths of sedition, nor qualify themselves to serve their country in any of the high departments of its government, by making rebellion the first element of their political science. I admire the manliness of the sentiment, and the beauty of the language in which it is expressed. But how is this declaration to be reconciled to other remarks which have been expressed here? We have been amused with critical dissertations upon the strength of the eastern states—upon their abhorrence of oppression. Custom-houses and custom-house officers have been threatened with destruction. Is physical strength to settle the great constitutional questions which have been raised in the present day? The offices and officers created and appointed by the constituted authorities, can only be put down at the point of the bayonet. Gentlemen say they do not advise the people to pursue this course. They only tell them such a course would be justifiable. They do not recommend the recurrence to force, but they say, if the constitution is violated, such force is proper and necessary. And we have been told more than once, that we have violated the constitution and oppressed the people of the east. Such doctrines are not reconcileable; some of the party are willing to make rebellion, if not the first, at least one of the elements of their political science. What has become of that judiciary, heretofore considered the safeguard of the constitutional rights of the people—the check upon legislative usurpations?—Are its members changed? have they become time-servers and sycophants to the dominant party? do they fear the responsibility of deciding on such important questions? The members of the court are not changed. The idol of the opposition is still head of the judicial tribunals. The judges are not tremblers or time-servers.

That court which on a question of mere jurisdiction travelled out of the record to express an opinion against the administration of their country, will court the responsibility of pronouncing judgment against them, if they are not forbidden by principles too strong to be reasoned down.

It is impossible to leave this subject without adverting to the conduct of a portion of the legislature of Massachusetts, the direct tendency of which has been to lead to a separation of the union. Inflammatory resolutions, violent complaints of the injustice and oppression of the general government, have been heaped upon each other, to stimulate public prejudice, to prepare the public mind for stronger and more decided steps. Think not, sir, I advert to these things from any apprehension that these schemes will be effectual. I mention them to express my profound contempt for their impotent madness.

The leaders of these factious spirits are prevented from carrying their wishes fully into operation by two powerful divinities—interest and fear. The love of the union is yet sufficiently strong, in defiance of artifice and falsehood, to strike down the ruffian who dares to lift his sacrilegious hand against the constitution by which that union is to be perpetuated—the love of the union among the people of the east themselves. These infatuated leaders have not the nerve to carry into execution their mad designs. He who cowers under the falcon eye of an indignant adversary, will not court the fiery glance of angry steel.

But if there is to be found a leader, who, to the necessary corruption and to deadly ambition adds the nerve requisite to perform "the firstlings of his heart;" if by his influence madmen enough should enlist under his banners, the eye of reason can look fearlessly beyond the immediate consequences to the final result. That result is not dubious. The elements of society may be set in motion, may mingle in dreadful strife; the earth may rock to its deep foundations, but not one stone of the fabric of our government will be shaken from its place. Dreadful will be the consequences—horrible the scenes which will probably ensue. The fairest region of our country may become a "desert wild." The poor man's cottage and the rich man's palace may together be crumbled to dust. The blood of the innocent and the guilty, of the recreant and the brave, may mingle in one common stream—but one consolation is still left to virtue; those who raised the tempest will be the first victims of its fury.

Mr. Calhoun said, Some arguments and observations of mine on a former occasion, on the nature and character of opposition,

have on this called forth replies from many of the minority, and particularly from Mr. Gaston. He asserted that a majority might also be a faction, and cited the Federalist to prove its truth; with the additional fact, that when it is one, it is far more dangerous than a factious minority. If the gentleman had been more attentive, he would have found that there is nothing in my arguments that contradicts the position taken in the Federalist. What I said was in reply, and was intended to refute the assertion of our opponents on that occasion, that all the misfortunes and miseries of free states originated in the blunders and folly of majorities. The error of this opinion I then sufficiently exposed, both by experience and reason. It has found no advocate on this occasion. I will not again repeat my reasons, but simply restate, that opposition in free states is strongly inclined to degenerate into a struggle for power and ascendancy, in which the attachment *to a party* becomes stronger than that *to the country*. This opinion I conceive is incontrovertibly established; in fact, the truth of it is but too manifest to all who have looked into the character of man, or who are acquainted with his history. On the contrary, I feel no disposition to deny that the majority may possibly become factious—that is, cease to consult the general interest. I claim no peculiar exemption for them—it made no part of my argument; I stated principles, but left their application to the good sense of the community. Much less do I feel disposed to contest the position that, if such a majority could and should by any misfortune exist in this country, it would be more dangerous than a factious minority. I could not doubt, for instance, that if the present minority could be swelled into a majority by the addition of one-third more to their ranks, and that they should, when in power, retain all of the principles which I hear them daily advance in this house, that they would not only be more dangerous than they now are, when their power is to divide and distract; but that it would be the greatest calamity that could befall our country.

The loan bill passed the house on the 3d of March, by a majority of 42, and shortly after became a law.

§ 10. While the loan bill was under discussion in the house of representatives, an act was passed authorizing the president to issue treasury notes to an amount not exceeding five millions of dollars. He was also authorized to issue a further sum not exceeding five millions, to be deemed as part of the loan subsequently authorized.

CHAPTER IV.

§ 1. Deficit in the revenue. § 2. National bank. § 3. New taxes. § 4. National bank postponed. § 5. Assumption of the direct tax. §6. Duty on distilled spirits. § 7. Licenses to retailers. § 8. Duty on sales at auction. § 9. Compromise of the Yazoo claims. § 10. Louisiana land claims. § 11. Liquidation of Florida claims. § 12. Extension of credit to land purchasers. § 13. Organization of New York district court. § 14. Payment of money into the courts. § 15. Allowance to marshals and district attorneys. § 16. Alteration of the judicial system. § 17. Residence of the attorney-general. § 18. Regulation of the post-office. § 19. Trophies of war.

§ 1. In the annual report of the secretary of the treasury the deficiency in the revenue, for the year 1814, had been stated at $ 700,000. The acting secretary had, however, suggested, that as the revenue for 1815 would produce probably $ 1,200,000 more than the revenue for 1814, it would rest with congress to decide whether it was necessary that new and additional revenues should be established during the present session. On the 28th of March, the new secretary of the treasury, in answer to a letter from the committee of ways and means on this subject, stated, that the proceeds of the internal revenue for 1814 would so far exceed the estimated amount as to cover the supposed deficit. In consequence of this letter the committee of ways and means had declined reporting any new taxes.

After the passage of the loan bill the price of stock experienced a considerable depression, partly in consequence, it is said, of the pressure of the eastern upon the southern banks for specie, which they had been enabled to do from Boston enjoying a monopoly of trade, owing to the existing blockades. This circumstance had excited doubts in the minds of several of the members friendly to the administration, as to the possibility of raising sufficient funds by loan for the service of the year, without making improper sacrifices, unless some further measures were put in operation.

§ 2. Mr. Grundy, of Tennessee, accordingly, on the second of April, submitted the following resolution for consideration in the house of representatives:

Resolved, That a committee be appointed to enquire into the expediency of establishing a national bank; and that they have leave to report by bill or otherwise.

This subject had been previously agitated in the house, having been introduced on the 4th of January, by a petition from sun-

dry citizens of New York, which was referred to the committee of ways and means. The petitioners state, that they are desirous of establishing a national bank, and of being incorporated, for the purpose of carrying on the business of banking, with a capital of thirty millions of dollars, at such places as the president and directors of the corporation shall appoint, or as shall be designated in the act of incorporation. That they are induced to make this application to the general government, from a sincere belief, that the establishment of a national bank will be no less beneficial to the public, than to the individuals who may be concerned in it. "Among the most obvious and important advantages which the government would acquire, by such an establishment," say the petitioners, "would be the means of borrowing from it money for the public service, not only on better terms, but with much greater facility, than can be done from individuals. In order to secure to the government this benefit, your petitioners propose, that the bank shall loan to the government, whenever required, such sums as they may want, so as they shall not, at any time, exceed one half of their capital, and that a proper clause be inserted in the act of incorporation, to carry this proposal into effect.

"The other fiscal concerns of the government would also derive great aid from a national bank, through which their operations might be conducted with much more economy and advantage, than they can be through distinct state banks.

"Your petitioners think they may, on this subject, safely appeal to the past experience of the government, for the inconvenience they have suffered for the want of such an institution. Your petitioners, at the same time, beg leave to suggest the impolicy of having the monied transactions of the general government dependent on state institutions, to carry them into effect.

"Your petitioners beg leave further to state, that the whole circulating medium of the United States is now appropriated by the different state banks, who, in lieu thereof, circulate their own paper, to the amount of at least fifty millions of dollars, to the exclusive benefit of their stockholders: whereas, by the establishment of a national bank on the plan proposed, the people in every part of the United States would participate in its benefits, and the government would receive from it accommodations in various ways, which the state banks have not the means of affording; and in converting the circulating medium to the use of government, congress will find less difficulty, and less inconvenience will be occasioned, than in raising the same amount of money in any other manner.

"The establishment of a national bank will also be attended with political effects, which the wisdom of government will not fail duly to appreciate. Men of wealth and influence, without regard to party distinctions, will, in the different parts of the United States, embark a part of their fortunes in such an institution; and as its prosperity and security must depend upon the stability of the union and its present form of government, the motives of interest, to such as become stockholders, will be superadded to those of patriotism to contribute to their perpetuity."

The committee of ways and means, to whom this petition had been referred, in a few days reported "that the power to create corporations within the territorial limits of the states, without the consent of the states, is neither one of the powers delegated by the constitution of the United States, nor essentially necessary for carrying into effect any delegated power."

On the 19th of February, however, the same committee reported a bill incorporating a bank in the city of Washington with a capital of thirty millions of dollars, but without the power to establish branches in the states. This bill had not been acted on, though six weeks had elapsed, at the time Mr. Grundy submitted his resolution.

§ 3. The house having adjourned without a decision, the following day, before the resolution was again taken up, Mr. Desha, of Kentucky, submitted the following:

Resolved, That the committee of ways and means be instructed to enquire into the expediency of authorising the president of the United States, to cause to be issued, if he deems it necessary, any amount of treasury notes not exceeding fifteen millions of dollars, in sums not less than ten nor more than one thousand dollars, bearing an interest of six per centum per annum, payable quarter yearly, except the first year, and that at the end of the year, reimbursable in five years; and also into the expediency of laying duties on watches, gold seals, plate, boots, and fine hats, to discharge the interest on said notes.

Mr. Wright, of Maryland, moved to add to the list of taxable articles, lottery prizes, a tax which he said every body would be glad to pay; saddle and carriage horses, certainly articles of luxury; houses and lots in the District of Columbia, which are now exempt from the direct tax; and a continuance of the direct tax on land; to which Mr. Stuart, of Maryland, moved to add race horses, mares, and fillies.

Mr. Taylor, of New York, said he regretted to see the course this business was now taking. The committee of ways and means had not been inattentive to the subject embraced in

this motion. If they had not met the wishes of the house, it would be better to send to them a resolution of instruction in a general form, without designating the articles proposed to be taxed, to raise a revenue to defray the interest of these treasury notes. On that head, if the resolution were so passed, he knew it would be grateful to the feelings of the committee to receive any representations of individual members on the subject of the articles which it would be proper to tax.

Mr. Wright, of Maryland, said he hoped it would not be considered as arrogant in men devoted to the best interests of the country, after waiting till the last moment of the session without hearing from the committee of ways and means on the subject, to call their attention to a project for supplying the treasury with the necessary funds. The only obstacle to obtaining loans was the omission to provide the ways and means to pay the interest; and this was an object worthy the attention of the house.

Mr. Wright's and Mr. Stewart's motions were both disagreed to.

The question being stated on Mr. Desha's motion—

Mr. Eppes rose to state the reasons which prevented the committee of ways and means from reporting on this subject. After mentioning the secretary of the treasury's letter respecting the supposed deficit, he said, that the committee, after considering the unsettled state of our foreign relations, the uncertainty of the continuance of the war, &c. had decided that it would be better to let the subject rest till next session, when they could act understandingly, and the means could be proportioned to the end. On the subject of treasury notes, a sufficient sum was already authorized for the service of the present year.

Mr. Fisk, of New York, opposed even sending this proposition to a committee for enquiry, because it would produce an impression that this house was satisfied there might be a necessity of adding fifteen millions of treasury notes to the amount already proposed to be issued. Such a measure would spread a general alarm at the prospect of such a mass of paper money being thrown into circulation. Without more cogent reasons than he had heard, Mr. Fisk said he hoped the house would not tamper with such dangerous experiments.

The question on the adoption of Mr. Desha's resolution was negatived by a majority of 71.

§ 4. Mr. Grundy's resolution was then adopted, and himself and eight other members appointed as the committee. After the passage of the bill repealing the embargo, however, Mr. Grundy moved, under the instruction of the committee, that they be dis-

charged from the further consideration of the subject; which motion was agreed to. A few days after this the bank bill which had been reported by the committee of ways and means was indefinitely postponed.

§ 5. An act was passed in the commencement of the session amending that part of the act of last session laying a direct tax, which provides for the assumption by the states of their respective quotas. This amendment provides, that in every case where the legislature of a state shall not convene prior to the first day of January, 1814, no notice of the assumption of the quota of such state of the direct tax shall be deemed necessary; and such state shall be allowed until the twentieth of February for making payment, and shall receive thereon the same deduction as if such payment had been made on the tenth day of February.

While the bill was under consideration in the committee of the whole in the house of representatives, Mr. Taylor, of New York, observed, that the legislature in New York hold but one session annually, which commences on the last Tuesday in January, and that the bill is intended to give to New York the same privilege of electing to pay its quota of the direct tax into the treasury as has been enjoyed by other states under the 7th section of the act to lay and collect a direct tax within the United States.

The obvious propriety of passing the bill was evident from the same consideration which induced the introduction of the general principle of state assumption into the act of last session. But there was another consideration, intimately connected with the original compact between the states, to which he begged leave to ask the attention of the committee. The federal constitution was ratified in convention by most of the states between the autumn of 1787 and the spring of 1788. New York was among the last states adopting it. Considerations connected with the general power vested in congress by the constitution to lay and collect direct taxes, had among others in the state of New York an effect to retard its ratification. And when the convention finally yielded their assent, they took care in the same document to enjoin it upon their representatives in congress to exert all their influence, and use all reasonable means to obtain a ratification of several amendments, among which is the following:

"That congress do not lay direct taxes but when the monies arising from the impost and excise shall be insufficient for the public exigencies, nor then until congress shall first have made a requisition upon the states to assess, levy, and pay their respec-

tive proportions of such requisition, agreeably to the census fixed in the said constitution, in such way and manner as the legislature of the respective states shall judge best; and in such case, if any state shall neglect or refuse to pay its proportion pursuant to such requisition, then congress may assess and levy such state proportion, together with interest, at the rate of six per centum per annum, from the time of payment prescribed in such requisition."

The same convention expressed their confidence that all laws in the mean time to be passed by congress, would conform to the spirit of that and the other amendments, as far as the constitution would admit. A conviction of the propriety of such amendment was not peculiar to New York. An amendment was recommended by the convention of North Carolina in the following words:

"When congress shall lay direct taxes, they shall immediately inform the executive power of each state, of the quota of such state, according to the census herein directed, which is proposed to be thereby raised; and if the legislature of any state shall pass a law, which shall be effectual for raising such quota at the time required by congress, the taxes laid by congress shall not be collected in such state."

An amendment in the same words was proposed by the convention of Virginia, accompanied with an injunction upon their representatives in congress, to use all reasonable and legal methods to obtain its ratification.

The convention of South Carolina accompanied their ratification of the constitution with resolutions,

"That the general government of the United States *ought never* to impose direct taxes but when the monies arising from the duties, imports, and excise, are insufficient for the public exigencies, nor then until congress shall have made a requisition upon the states to assess, levy, and pay their respective proportions of such requisitions."

And "that it be a standing instruction to all such delegates as may hereafter be elected to represent this state in the general government, to exert their utmost abilities and influence to effect an alteration of the constitution, conformably to the foregoing resolution."

The convention of New Hampshire proposed an amendment embracing the same principle, and in nearly the same words, as that of New York. Even Massachusetts, at that time distinguished among the states for her attachment to the general interest of the confederation, and having given the most signal examples of her confidence in the general government, did not ratify

the federal constitution without recommending the same amendment proposed by New York. The direct tax for the ensuing year has already been assumed by several states. He did not speak from authority, but it was understood that it had been assumed by New Jersey, Pennsylvania, Kentucky, Ohio, South Carolina, and Georgia, making an aggregate in amount of about one third part of the whole tax. The quota of New York is about one seventh part of the tax. He wished to afford to New York the same privilege as had been enjoyed by other states—and such was the object of this bill.

§ 6. On the 20th of January, Mr. Taylor offered for consideration a resolution instructing the committee of ways and means to enquire into the expediency of substituting, in lieu of the duties on licences to distillers, as now existing by law, a duty on the quantity of spirits distilled, which was passed, *nem. con.*

On the 31st of March the committee reported a bill changing the tax from the capacity of the still to the quantity distilled, which was taken up on the 12th of April, when it was indefinitely postponed, on the ground of the lateness of the session, and the propriety of ascertaining more accurately the operation of the present system before it should be changed.

§ 7. An act was passed on the 18th of April, amending the act laying duties on licenses to retailers of wines, spirituous liquors, and foreign merchandize. It provides that no physician, surgeon, or chymist, shall be subjected, for vending, solely in his practice, medicines to his patients, to take out a license as a retail dealer in foreign merchandize, and where such license has been taken out, it shall be cancelled, and the money repaid.

The act also provides, that on the sale or transfer of a licensed still, the right of using it shall accrue to the new proprietor, on the sale or transfer being endorsed by the collector on the original license. That on a still being accidentally destroyed by fire or otherwise, the collector shall remit such part of the duties as has been bonded which would have accrued between the time of destruction and the expiration of the license. That any person to whom a license for retailing may be granted, may have it transferred to any other person in the same collection district, on application in writing to the collector. And that in case of the death of any person licensed to distil or retail, his heirs, executors, or administrators may distil or retail under the license, on similar application to the collector.

This law also imposes a penalty of $ 100 on every person to whom a license for retailing has been granted, for refusing to show it to the collector of the district.

It also makes provision for the case of the sickness or death of a collector.

§ 8. An amendment was passed to the act laying duties on sales at auction, providing that the condition of the bond to be given by each auctioneer shall be, that he shall render the quarterly account in writing, required of him by said act, within twenty days after the first day of April, July, October, and January, in each year, and that in the said quarterly return shall be stated the aggregate amount of goods, wares, merchandize, and effects, liable to duty, sold by him on each day during the quarter, with the date of each sale.

§ 9. During the winter session of 1812–13, a bill passed the senate for the purpose of effecting a compromise of the Yazoo claims, which was postponed till next session by the house of representatives, on account of the pressure of important business preventing a full discussion. The subject was again taken up this session, and a bill providing for a compromise passed the senate by a large majority, and the house of representatives by 84 to 76, and finally received the signature of the president on the 31st of March. Before we state the provisions of the act, it will be proper to present our readers with a cursory view of the whole transaction.

On the 7th of February, 1795, the legislature of Georgia passed an act authorizing the sale of four tracts of land, in the country now called the Mississippi Territory, but which was at that period claimed by Georgia, as being within her territorial limits. This land, of which there was supposed to be from twenty to forty millions of acres, was sold to four companies, called the *Georgia*, the *Georgia Mississippi*, the *Upper Mississippi*, and the *Tennessee* companies, for five hundred thousand dollars. This sum was paid into the state treasury, and grants issued by the governor for the several tracts designated in the law. A considerable number of the shares of these companies were shortly after disposed of by the original grantees, particularly to a company in New England called the *New England Mississippi Land Company*.

On the 13th of February, 1796, the legislature of Georgia passed an act, declaring the act authorizing the sale null and void, as having been obtained by fraud and corruption*, directing all records of grants or conveyances relating to the sale, to be expunged; forbidding the recording, thereafter, of any such conveyances or contracts; and ordering the "inrolled law or usurped act" to be publicly burnt, "in order that no trace of so

* It was fully substantiated by evidence laid before the legislature of 1796, that all the members, both in the senate and the house, who voted in favour of the expunged law, were, with one single exception, interested in, and parties to the purchase.

unconstitutional, vile, and fraudulent a transaction, other than the infamy attached to it by this law," might remain in the public offices.

The act of 1796, as well as several subsequent acts, made provision for the repayment of the money deposited as the consideration of the purchase. Under those acts $ 310,695 15 have been withdrawn.

The claims of the United States to the vacant western lands have been frequently mentioned in this work. Georgia was one of the last of the states which recognized these claims, and it was not till the year 1802, that the Mississippi Territory was ceded to the union, by articles of agreement, signed by commissioners appointed by both parties. These articles stipulated that the United States should pay to Georgia a million and a quarter of dollars, out of the first sales of the ceded lands, and extinguish the Indian title to all the lands within the limits of Georgia held by the Indians. They also stipulated that a portion of the said lands, not exceeding five millions of acres, should be appropriated for the purpose of satisfying, quieting, and compensating claims, provided such appropriation be made within a year after the session.

The commissioners on the part of the United States (James Madison, Albert Gallatin, and Levi Lincoln) were authorized by law to enquire into claims to those lands, to receive from settlers or claimants propositions of compromise, and to lay a full statement of such claims and propositions before congress, together with their opinion thereon. In the report of the commissioners to congress, they state that they feel no hesitation in declaring it as their opinion, that under all the circumstances which may affect the case, as they have come within their knowledge, the title of the claimants cannot be supported. But they nevertheless believe that the interest of the United States, the tranquillity of those who may hereafter inhabit that territory, and various equitable considerations, which may be urged in favour of most of the present claimants, render it expedient to enter into a compromise on reasonable terms.

In conformity to this recommendation congress passed the law of March 3, 1803, which, after appropriating so much of the reserved five millions of acres as might be necessary to satisfy claims under British and Spanish grants, recognized by the articles of agreement with Georgia, appropriated so much of the residue as might be necessary for satisfying, quieting, and compensating the Yazoo claimants. The act, however, provided that no claims should be embraced by this appropriation, that should not be presented to the secretary of state, and recorded

in his office before the first of January following. The act passed during the present session is for the final settlement of those claims.

It provides, that all claimants under "the act or pretended act" of Georgia, passed in January, 1795, who have exhibited the evidence of their claims to the secretary of state, for the purpose of being recorded in his office, conformably to the act of March 3, 1803, shall be allowed until the first Monday in January next to deposit, in the office of secretary of state of the United States, a sufficient legal release and transfer to the United States of their claims to the land, and of their right to the monies subsequently withdrawn from the treasury of Georgia by the original grantees and their owners, and a power to sue for the recovery of such money. That the secretary of the treasury, the secretary of state, and the attorney general of the United States, shall be a board, to meet in the city of Washington on the said first Monday in January, to determine on the sufficiency of the release so deposited, and on the merits of all conflicting claims to said lands, of the meeting of which board three months public notice shall be previously given. That as soon as the commissioners shall have made report to the president of the sufficiency of such release, to the amount of at least nine-tenths of the whole claims, the president shall cause to be issued, to the companies or persons whose claims shall be thus allowed, certificates of stock, bearing no interest, payable out of the first proceeds of sales of public lands in the Mississippi Territory, after the payment of the money due to Georgia, and the expences of surveying the land shall have been satisfied—such stock not to exceed in amount the following sums, in the whole, to the persons designated below, viz. To the persons claiming in the name of or under the

Upper Mississippi Company	$ 350,000
Tennessee Company	600,000
Georgia Mississippi Company	1,550,000
Georgia Company	2,250,000
Citizens' rights	250,000

Making an aggregate of five millions of dollars. The certificates thus issued are to be receivable in part payment for public lands sold after their dates in the Mississippi Territory, in the proportion of ninety-five dollars in every hundred, the remaining five being paid in money. The balance of the purchase money paid into the treasury of Georgia, and remaining there, to be set over and paid by the said commissioners to the state of Georgia, in part payment of the sum due to her by the United

States. Suits to be instituted against all persons who have fraudulently withdrawn any part of the purchase money, in such manner as the board of commissioners shall think most effectual to compel them to refund the same. If the persons claiming under the act or pretended act of the legislature of Georgia before recited, shall neglect or refuse to accept of the compromise hereby authorized, the United States are declared to be exonerated and discharged from such claims, which are for ever barred; and no evidence of any such claim shall thereafter be admitted to be used in any court whatever against any grant derived from the United States.

The principal arguments against the compromise, were, that it was giving a sanction to corruption. It was asserted that the legislature of Georgia had no power to dispose of the public territory; that even if they had the power, they had not the power to dispose of it fraudulently and corruptly; that the claimants, having notice of the fraud, were *particeps criminis*—they had purchased of the grantees with their eyes open; they were not innocent but guilty purchasers, and were not entitled to the interference of congress in their behalf.

On the other hand it was said, that, notwithstanding the corruption of the legislature, the act of Georgia was perfectly valid, and if a compromise were not effected, the claimants would ultimately obtain the whole of the land. But even if that were not the case, the interests of the country imperiously required a settlement, which also was sanctioned by recommendations of the highest authority. It was also urged that most of the present claimants were ignorant of the fraud at the time of their becoming purchasers.

§ 10. An act was passed this session for the final settlement of land titles in Louisiana and Missouri. An act was also passed extending the time for delivering claims to lands in that part of Louisiana east of the Mississippi, and the island of New Orleans till the first of September next.

§ 11. By another act the secretary of state was directed to liquidate, according to principles of justice and equity, all the claims of the inhabitants of that country for advances made by them for the benefit of the United States.

§ 12. An act was also passed granting a further time of three years to purchasers of public lands, between April 1, 1809, and April 1, 1810, to complete their payments, on condition of the arrears of interest being paid up, and that portion of the principal which was unpaid, being paid in three equal annual instalments.

§ 13. The district court of New York was newly organized this session. There was formerly one district court in the state, with two judges; the state is now divided into two districts, and one of the former judges appointed to each. The counties of Rensselaer, Albany, Schenectady, Schoharie, and Delaware, and that part of the state lying south of those counties, form the southern district; the remainder of the state the northern district.

§ 14. An act was also passed, directing, that upon the payment of any money into any district or circuit court of the United States, to abide the order of the court, it shall be deposited in such incorporated bank as the court shall designate, until it shall be decided to whom it of right belongs. Should there be no incorporated bank the court may direct it to be deposited according to its discretion. Nothing in the act, however, is to be construed to prevent the delivery of the money, upon security, according to agreement of parties, under direction of the court.

§ 15. A subsequent act provided that the allowance to the marshal and attorney of the districts of Massachusetts, Rhode Island, Connecticut, the southern district of New York, and Pennsylvania, and to the clerk of the district and circuit court, in each of these districts, should be discontinued; and that in future the clerks of the district and circuit courts of the United States should receive one half of one per cent. on money deposited in court, and no more.

§ 16. On the 24th of December, in the house of representatives, on motion of Mr. Ingersoll, a resolution was passed instructing the committee on the judiciary to enquire into the expediency of altering the judicial system of the United States, and also to enquire into the expediency of providing by law for the more effectual punishment of crimes against the United States. A bill embracing the first part of the resolution was reported by the committee, but as it was not acted on during the session, it is unnecessary at present to enter into its details. It will probably be acted on next session.

§ 17. A bill passed the house of representatives on the 15th of April, establishing the permanent residence of the attorney-general of the United States at the city of Washington*, but it was not acted on by the senate during the session.

§ 18. A bill for the regulation of the post-office was introduced into the house of representatives, but on the 16th of April it

* In consequence of the introduction of this bill, William Pinkney, Esq. resigned the office of attorney-general, and Richard Rush, Esq. the comptroller of the treasury, was appointed in his room. Mr. Bacon, of Massachusetts, was appointed comptroller, vice Mr. Rush.

was postponed till next session, on account of pressure of other business. This bill provided that the postmasters in incorporated cities should be appointed by the president, by and with advice and consent of senate, instead of by the postmaster general, in whom the appointment of all deputy postmasters is now vested. It also deprived the postmasters of the privilege of franking, allowing them to charge all letters on post-office business to the public account.

§ 19. On the 20th of December, on motion of Mr. Seybert, of Pennsylvania, a committee was appointed to enquire into the present condition and distribution of the flags, standards, and colours which have been taken by the forces of the United States from their enemies; and whether it would be expedient to make any provision in relation to them; with leave to report by bill or otherwise.

On the 4th of February the committee made the following report:

That the collection, preservation, and exhibition of such flags, standards, and colours as have been taken by the land and naval forces of the United States from their enemies, is sanctioned by the practice of European nations, and more especially by the proceedings of the congress of our revolution. It is believed there cannot be a difference of opinion on this subject: it is natural to rejoice at the victories and the glory of our country. In Europe, the trophies which have been gained in war, are preserved with uncommon care. As monuments of national power they have ever been cherished by all civilized nations. In England they are highly prized. Not content that they should constitute the ornaments of their military institutions, such standards are deemed proper subjects for the decorations of the temples which they have consecrated to the purposes of religious worship; the sacred chapels, in common with the royal palaces, are the places in which are displayed, to every subject and traveller, the banners which the British forces have won from their enemies! It must be recollected, that the standard of our 4th regiment of infantry, which the enemy *received* at the lamentable surrender of Detroit, was, in haste, conveyed to Europe. Immediately after its arrival in London, the public prints informed us, that it was triumphantly displayed in the *council* chamber at Whitehall. Such is the British practice.

In France the galleries of *Notre Dame* are blazoned with these splendid trophies. The chapel of the *Hotel* of the *Invalides*, is richly embellished, and exhibits, to the numerous visitors, the many standards which that gigantic power has, at dif-

ferent times, taken from its enemies*. It affords no common satisfaction to the disabled tar, or the superannuated soldier, when he informs the inquisitive stranger, that he gloriously fought in the battle which may have gained some of them. For the time he forgets his former sufferings, and his present disabled condition: his consolation rests upon the power and the glory of his country, so fully demonstrated by the sight of the numerous ensigns which were taken from other nations. Other instances, in favour of the practice, could have been furnished; but your committee are persuaded, that the order of the illustrious congress of our revolution, *alone*, will justify the propositions which they intend to submit for legislative consideration. As early as the 23d of June, 1778, it was "Resolved, that the board of war be directed to collect the standards and colours taken from the enemy, by the army of the United States, since the commencement of the war." Had this order been strictly observed, and somewhat extended, the present proceedings would be unnecessary. Far from any regulations having been adopted, in pursuance of the recited resolution, your committee *lament* the *peculiar* negligence which ensued. The secretary of war now tells us, that of the standards and colours which were taken by the army of the United States, during the war of the revolution, only *six* remain in his office. He cannot give any information concerning others; *even their place of deposit is unknown to the department!* The navy department possesses no knowledge of *any* flags which were taken "anterior to the declaration of the present war." Such as have been captured, with the *public* armed ships of the enemy, subsequent to the 18th of June, 1812, "have been carefully preserved." Thirteen of them have been already received, as will more fully appear by the annexed statement: of these, *three* belonged to the *heavy frigates* of the enemy, viz.: the *Guerriere*, *Macedonian*, and *Java*. The navy department is also in possession of a *royal* standard of Great Britain, which was taken at York, and a union jack and flag, which were captured at fort George. The flags of *five* small vessels, which were captured, have not been received. Your committee regret, that the journals of congress do not exhibit statements of all the standards and colours which were taken during our revolution by the army and navy of the United States. The early attention of the legislature to this subject inclines them to believe they were very numerous. The capture of earl Cornwallis *alone*, furnished *twenty-four* of them! In all probability as many were taken with general Burgoyne.

* The trophies of war ornament the places of worship in Prussia, Bohemia, and Austria.

By some the exhibitions which are contemplated, may be considered as too trivial for legislative provision. Your committee would coincide with them in this opinion, did the practice only afford a momentary gratification to the curious. Experience must have taught European governments, that national benefits were derived from the course which they have adopted, or it would long since have been discontinued. It is presumed that essential consequences proceed from the practice, more especially when a nation shall be engaged in war. Such trophies excite the spirit of a nation: the result is national character. The arrival of an enemy's flag is sufficient to rouse the population of London or Paris. On such occasions the finest national feelings are developed; and to the honour of our fellow citizens be it said, they have not been found to want this species of national sensibility, when the flags of the *Guerriere*, *Macedonian*, and *Java*, &c. &c. were exhibited to them. It was indifferent whether they considered themselves of the war or of the peace party, each was ambitious to rank the victor with himself. The national taste and propensity is strongly marked by the eagerness with which *all* view representations of our late unparalelled naval victories. If then the art and genius of the painter can thus excite our natures, may we not look for much more when we have the *physical facts* placed before us, instead of fancy? These flags, the trophies won by our gallant tars, demonstrate to us and the world, that the *invincibility* of the British naval power has been very much exaggerated. In battle will the recollection of them sustain our sailors and our soldiers, and impart additional skill and valour in support of the cause of our country! The value of standards does not depend upon the gaudy colours which they exhibit, no more than upon the nature of the stuff of which they may be fabricated. They have been, at all times, regarded as the *insignia* of fame and power! Their surrender is the act of submission. The last wish of the proud bearer, is the preservation of his *eagle:* too often is the loss of it sealed with the loss of life. In Europe, where military operations are on a large scale, though the result of a battle should prove destructive to thousands of those who were engaged, the capture of a *single* standard constitutes a prominent feature in the details of the action, and adds much to the brilliancy of the achievement. Colours taken from the enemy, were considered a present worthy the nation, to general Washington, for his signal services in the capture of earl Cornwallis. The records of the proceedings of congress, during the whole of our revolution, mention but *two* instances where this highly honourable and distinguished mark of approbation was voted. In fine, we have de-

clared the flag shall guarantee the safety of our citizens. Can a higher value be set upon it? Can we attach more honour to it?

It may be asked, what will be the effects of a public display of the flags which have been taken from our enemies? This view is considered to be important. No one can doubt, that the government and the people of England would rather we should have taken millions of their merchandize, than that we should have it in our power to exhibit the flag of a *single* sloop of war, which was gained by equal force. If the enemy will expose to the view of the British nation and every traveller who may visit them, the one or two which they have captured from us, shall we conceal the many we have taken from them, and thus lead others to doubt our possessing any? Shall we permit the numerous trophies of our revolution to moulder into dust, by a voluntary concealment, without an effort for their preservation? If this shall have happened to the proud monuments of our independence, shall the fate of those, which are now perfect, and which have been so lately won on our own coast, on that of South America, off the Azores, on the lakes, in short, in all latitudes where our tars have come in contact with the enemy, be the same? Is not the preservation of these flags a duty which we owe to the people of the United States? Are the achievements of that gallant little navy, which, a few months ago, was the object of derision with the statesmen and the people of England, but now the cause of their fears, to be buried in oblivion? Shall we put at rest the inquiry which the glorious deeds of our sailors have excited in the parliament of Great Britain? Shall we, at our expence, approve the laboured calculations of the enemy; with her confound reason and common sense, and attribute simple truths to fallacious causes? or shall we give into a practice so generally cherished by other nations? Our successes on the ocean constitute the pride of our country; they have secured to us the respect of foreign nations. In Europe we again hold that rank which our ancestors had obtained by their many hard fought conflicts, which we had nearly forfeited. Have we not accomplished more than Spain did with her "invincible armadas;" than did Holland with her De Witts, Van Tromps, and De Ruyters; than France could achieve when she was in the zenith of her naval power; than did Great Britain with her Nelsons, Rodneys, Howes, and St. Vincents? The naval annals of England furnish no instance in which every vessel belonging to a hostile fleet was captured.

Some may doubt our possessing a number of standards sufficient to warrant their public exhibition. Had we but few of them we should not deny our sanction to the principle. Your

committee regret that special order had not been taken by congress immediately after the receipt of the first present of this kind; we allude to the colours which were taken by general Montgomery from the 7th British regiment, at Chamblee, on the 18th of October, 1775. The French pride themselves on their ability to exhibit the *two* which they have taken from our present enemy: for so lately as the year 1800 they had only two of the naval flags of Great Britain! Though the war and navy departments can immediately furnish but twenty or twenty-five of these flags, it is probable the place of deposit will be ascertained, so as to put within our power many of those which were gained during our revolution. Where are those which were won during our dispute with France in 1798? The same may be asked of those which the defeats of Derne and Tripoli should furnish?

The only object which remains for consideration is, the place most proper for the exhibition. This should be public and easy of access, at the same time that it should be perfectly secure from villainous attempts. These flags should be placed so as to be seen by every citizen who might wish to observe them. It will be of advantage that they should be noticed by every foreigner who may visit the United States. Can any objection be made to the spacious national apartments which are devoted to legislative purposes? What ornaments can be more suitable? Go abroad, and you may see the walls of the British house of lords decorated with representations of some of the celebrated battles which were fought by the troops of Great Britain. At home we find the principle already established by one branch of the legislature of the United States: in the senate chamber we observe engravings of some of the battles of our revolution; and had time allowed the execution of the original design of the architect, the precedent would have had existence in the chamber of the representatives of the United States. It was contemplated that the *frize*, over the capitals of the Corinthian columns which sustain the dome, should present, in *relievo*, a regular series of the battles which secured our independence. Such decorations might gratify the artist, and afford an opportunity to display his talents; but in a national view little or no effect would be produced. It must be conceded, that much more will be communicated to the spectator by the display of the captured standards. No one can pretend that any difference exists between the representations which we have noticed and the standards which have been taken from the enemy, as will warrant the public exhibition of the one and preclude that of the other: these subjects are most intimately connected, and their tendency must be the

same. The public exhibition of these trophies is a tribute due to the very superior skill and valour which achieved them; the sight of them will bring to recollection every circumstance of cause and effect; they will constitute valuable records of illustrious portions of our history; they will form a collection of the proudest monuments to commemorate the brilliant deeds of a rising nation.

An act was accordingly passed on the 18th of April, directing the secretaries of the war and navy departments to cause to be collected and transmitted to them, at the seat of government, all such flags, standards, and colours as have or shall hereafter be taken by the army and navy of the United States from their enemies. These trophies are to be delivered to the president, for the purpose of being preserved and displayed in such public place as he shall judge proper.

CHAPTER V.

§ 1. Enquiry into the failure of the campaign. § 2. Report of the secretary of war. § 3. Motion for a committee of enquiry. § 4. Enquiry respecting retaliation. § 5. Report of the secretary of state. § 6. Resolution respecting the vacancy in the treasury department. § 7. Vacancies in the departments. § 8. Gore's resolutions. § 9. Amendments to the constitution. § 10. Hanson's resolutions. § 11. Roberts' resolution. § 12. Webster's resolutions.

§ 1. On the 31st of December, on motion of Mr. Bradley, a resolution was adopted by the house of representatives, 137 to 13, requesting the president to cause to be laid before the house any information in his possession, not improper to be communicated, tending to illustrate the causes of the failure of the arms of the United States on the northern frontier.

§ 2. In answer to this resolution the president transmitted a mass of documents, containing the principal part of the correspondence of the military commanders with the secretary of war.

From these documents it appears, that the principal object of the campaign was the capture of Montreal, on which the fate of Upper Canada was supposed to depend, and where the main force of the enemy was understood to be stationed. The smallness of the American force early in the spring, however, precluding every idea of a direct attack on this point, it only remained to chuse between a course of total inaction, until a

sufficient force could be raised and disciplined, or one having a secondary but still an important object, viz. the reduction of that part of Upper Canada lying between the town of Prescott and Lake Erie.

The latter was the course determined on by the cabinet, and orders were accordingly issued for the collection of 4000 troops at Sackett's Harbour, and 3000 at Buffalo and its vicinity, which were placed under the command of general Dearborn. His instructions were, to transport the troops at Sackett's Harbour under convoy of the fleet to Kingston, the capture of which was to form the first object of the campaign. York was to be the next object of attack, and then forts George and Erie, the corps at Buffalo co-operating in the latter. By the advice of commodore Chauncey and general Dearborn, however, an alteration in the order of this plan was finally adopted, by which York was to constitute the first object, and after the capture of forts George and Erie, the whole American force was to be collected for the attack on Kingston.

The opening of the campaign was eminently successful. York fell an easy prey, the British stores and naval force there were captured or destroyed, and the whole line of the Niagara frontier surrendered to the American arms. This success, however, was but short-lived. The operations against York and Fort George had consumed much more time than was expected, owing to a long series of contrary winds and bad weather, which had rendered naval operations extremely tedious and uncertain, and considerably affected the health of the troops; and the enemy's fleet having meanwhile received an accession of strength, which gave it a decided superiority on the lake, Chauncey was compelled to remain at Sackett's Harbour until his new ship should be ready for sea. This of course rendered the proposed attack on Kingston impracticable for the present. The land forces of the enemy, too, though beaten, had been allowed to escape unbroken; and a series of consequent disasters in the neighbourhood of Fort George, with the ill health of the commanding general, produced an order from government that he should retire from the command. His successor was ordered to remain on the defensive until Chauncey could once more gain the command of the lake.

The plan of operations laid down for the left division of the army, under general Harrison, was, to make occasional demonstrations against Malden, so as to keep up the enemy's alarm for the safety of that post, but to remain on the defensive until the command of the lake could be obtained by the naval force building at Presque Isle. The army was then to be transported

by water to Malden. This plan was crowned with the most complete success, by the capture of the whole British force in this quarter, both naval and military.

Meantime general Wilkinson was appointed to the command of the main body of the army, and general Hampton, under his orders, to the command of the right division, on Lake Champlain. Towards the end of July, Chauncey being again enabled to contend for the ascendancy on Lake Ontario, by the addition of the General Pike to his fleet, there was a considerable probability that Wilkinson would be soon enabled to resume offensive operations.

A new plan of campaign was accordingly submitted to the president by the secretary of war, which was approved and adopted on the 23d of July. This was, to concentrate the forces on Lake Ontario at Sackett's Harbour, and thence either to make a direct attack upon Kingston; or, moving down the St. Lawrence, to secure a position upon that river which would cut off the communication between Montreal and the upper country, and then march against Montreal in concert with Hampton's army.

General Wilkinson arrived at Sackett's Harbour on the 20th of August, and at Fort George on the 4th of September. From his correspondence at this time it appears, that his principal object was to draw the attention and force of the enemy as much as possible from Kingston and Montreal to the neighbourhood of Fort George, whence it was intended to make a rapid movement against one of the former places, by the assistance of the fleet. At this critical period, however, nearly a whole month was lost by the tantalizing manœuvres of commodore Yeo, who by the superior sailing of his squadron, was enabled to avoid an action, while he kept Chauncey almost constantly in pursuit. By this means the embarkation of the troops at Fort George was delayed till the 30th of September, and owing to a series of contrary winds and calms, they did not arrive at Sackett's Harbour till the 18th of October. The army was then moved to Grenadier Island. Meantime the opportunity of attacking Kingston to advantage was lost. The dilatory movements of the American army had enabled the British to reinforce the garrison, and the fleet was now in the harbour. These with other unfavourable circumstances induced the determination to leave Kingston unmolested, and descend the St. Lawrence against Montreal.

Meanwhile general Hampton, agreeably to his instructions, had put his army in motion against Montreal. On the evening of the 19th of September, he dropped down with the army from Cumberland Head, and landed them near Little Chazy at 12

o'clock the same night. The following day the army advanced a short distance, but were forced to return, owing to an uncommon drought which had prevailed, having dried up all the streams and springs upon this route.

It was now necessary to fix on another route to Cognawauga, the present object of the army, and that by Chateaugay river was adopted. Though circuitous, it afforded water, and was considered to be practicable in less time, all obstructions in the other considered. The head quarters were accordingly moved to Chateaugay, where Hampton was informed of the delays in the movements of the central army, and was ordered to hold fast his present position till further orders. On the 16th of October orders were sent from Sackett's Harbour by the secretary of war, for Hampton's army to march. His instructions were to approach the mouth of the Chateaugay, or any other point which should better favour the junction with Wilkinson, and hold the enemy in check.

On the 21st of October the army commenced its movement down the Chateaugay river, and by the 24th it had advanced and completed a road through 24 miles of the most difficult part of the route, and had in front seven miles of open country; but at the end of that distance commenced a wood of some miles in extent, which had been formed into an entire abbatis, and filled by a succession of wooden breast-works, the rearmost of which had been supplied with ordnance. In front of these defences were placed the Indian force and light corps of the enemy, and in the rear all his disposable force, amounting, by the information of deserters, to between two or three thousand men.

No information had yet been received of any movement down the St. Lawrence; but as it was believed that the enemy was hourly adding to his strength in the position in front of Hampton's army, an effort was judged necessary to dislodge him, as, if it succeeded, the army would be in possession of a position which it could hold as long as any doubts remained of what was passing above, and of the real part to be assigned it. Accordingly, the guides having mentioned a shoal and practicable fording-place, opposite the lower flank of the enemy's defences, and that the wood on the opposite side of the river, a distance of seven or eight miles, was practicable for the passage of the troops, colonel Purdy, with the light corps, and a strong body of infantry of the line, was detached at an early hour of the night of the 25th to gain this ford by the morning, with instructions to commence an attack in rear, which was to be the signal for the army to fall on in front.

The main body of the army was put in motion in the morning, but on advancing near the enemy, it was found that the column on the opposite side was not so far advanced as was anticipated. The guides had misled it, and finally failed in finding the ford. The army, however, having no communication with Purdy's column, waited until two o'clock, when, a firing being heard, the troops advanced rapidly to the attack, and drove the light troops of the enemy behind their defences.

It was now learned that the firing which had been heard was on the opposite side of the river, and not in the rear of the enemy's position, and that Purdy had failed in finding the ford. His troops, being excessively fatigued, were therefore ordered to return, and the whole army retired to a position three miles in the rear, to which place the baggage had been ordered forward. Here they remained two days*.

Meanwhile information was received from deserters that sir George Prevost had arrived with the whole of his disposable force, and lay in the rear of these defences. Information was also received from Ogdensburg, with which a line of communication had been established, that no movements of the army down the St. Lawrence had been heard of. A council of war was therefore held, at which it was unanimously determined, that it was necessary for the preservation of the army, and for the fulfilment of the ostensible views of government, to return to Chateaugay till advices were received of the advance of the grand army down the St. Lawrence. They accordingly returned thither by slow marches, without annoyance by the enemy.

Previous to the commencement of this expedition, the forage at Chateaugay had been nearly consumed, and on the return of the army, enough only could be found to subsist the horses and teams two or three days. As all accounts, therefore, concurred in the report that no descent down the river was intended by Wilkinson's army, the cavalry, artillery, and provision teams were dispatched to Plattsburg for subsistence.

Affairs were in this state when Hampton received the orders of Wilkinson, dated November 6, seven miles above Ogdensburg, directing him to meet him with his army at St. Regis on the 9th or 10th. The result is already known. Hampton declined the junction. His means of transportation having been sent to Plattsburg, rendered it impossible for him to have taken more provision than each man could have carried on his back,

* In colonel Purdy's report of this transaction to Wilkinson, very serious charges are brought forward against Hampton, not only as respects the failure of this expedition, but as to his general conduct while in command of the army. See the report, p. [161.

and he conceived that in throwing his army upon Wilkinson's scanty means he should weaken him in his most vulnerable point. After consulting the general officers, therefore, Hampton determined to throw himself back on his main depot at Plattsburg, and strain every effort to open a communication thence to Cognawauga, by which he conceived he should more effectually contribute to the success of the expedition than by the junction at St. Regis. This resolution of Hampton's was considered by Wilkinson as totally defeating the great object of the campaign, and his troops were according placed in winter quarters at French Mills. His example was necessarily followed by Hampton, and thus the campaign was put an end to in this quarter*.

The message and documents were ordered to lie on the table, and be printed.

§ 3. On the last day of the session, Mr. Miller, of New York, moved, that a committee be appointed to enquire into the causes of the failure of our arms on the northern and north-western frontier, and that said committee have leave to sit during the recess of the house, and that they have power to send for persons and papers.

This motion was negatived, 68 to 29.

§ 4. On the 2d of February, Mr. Dana, in the senate, submitted the following resolution for consideration:

Resolved, That the president of the United States be requested to cause to be laid before the senate, a statement of the names of the individuals selected from American prisoners of war, and sent to Great Britain for trial, as mentioned in his message at the commencement of the present session of congress; and also their respective places of residence in the United States; with the times when, and the courts where they were admitted to become citizens of the United States; and the regiments or corps to which they belonged, in the service of the United States, when taken by the enemy, and the times and places of their being so taken; together with copies of any official correspondence respecting the treatment of prisoners of war, and any orders for retaliation on either side, which the president may judge proper to be communicated.

* The above statement is believed to be a correct summary of the facts embraced in the voluminous documents reported by the secretary of war, which were not already before the public. It may be proper to notice, however, in addition, that it appears from the orders of the secretary to general M'Clure, that the destruction of Newark was not authorized by him, unless it should be rendered necessary for the defence of Fort George The whole report will be found among the congressional documents at the end of this volume.

On the 8th the resolution was taken up and passed, yeas 20, nays 6.

On the 7th of March, in the senate, Mr. Bibb, of Georgia, submitted the following resolutions:

Resolved, That the president of the United States be requested to cause to be laid before the senate such information as he may possess, calculated to show what has been the practice of Great Britain concerning her native subjects naturalized in other countries and taken in arms against her; also what is the general practice of the nations of Europe relative to the naturalization or employment in war, of the native subjects of each other.

Resolved, That the president of the United States be requested to cause to be laid before the senate, such information as he may possess, calculated to show under what circumstances, and on what grounds, Great Britain has been in the practice of refusing to discharge native citizens of the United States, impressed into her service.

Resolved, That the president of the United States be requested to cause to be laid before the senate, such information as he may possess, calculated to show what has been the conduct of Great Britain relative to American seamen on board her ships of war, at and since the commencement of the war with the United States.

On the 9th the resolutions were called up, and after being amended by the addition of the following resolution, on motion of Mr. King, were adopted:

Resolved, That the president of the United States be requested to cause to be laid before the senate, such information as he may possess of the cases, with their circumstances, in which any civilized nation has punished its native subjects taken in arms against her, and for which punishment retaliation has been inflicted by the nation in whose service they were taken.

§ 5. On the 16th of April the president transmitted a report from the secretary of state, embracing all the above resolutions. The report was accompanied with two papers. The first, in answer to Mr. Dana's resolution, contains the names of the American prisoners who were sent to England for trial by the British commander in Canada; of the corps to which they belong; of the times when, and of the places where, they were taken. Of their places of residence in the United States; of the times and the courts in which they were admitted to become citizens, the report states there is no evidence in the department of state, nor is there any to show whether they were naturalized or native citizens of the United States. This paper contains also a copy of the orders of both governments for retaliation,

and of the correspondence between their respective commissaries concerning the treatment of prisoners.

The second paper states various grounds on which the British government has refused to deliver up American seamen, impressed into the British service, on the application of the agents of the United States, regularly authorized to demand them, with the correspondence relating to the same. It communicates also such information as the department has been able to obtain of the conduct of the British government, towards American seamen on board British ships of war, at and since the commencement of the present war.

The remaining enquiries necessarily involve, says the secretary, in his report, an extensive research into the history and jurisprudence of the nations of Europe. For so important a task, the other duties of the secretary of state have altogether disqualified him, since the call was made. The approaching close of the session does not leave him time for more than the following observations:

That all the nations of Europe naturalize foreigners;

That they all employ in their service the subjects of each other, and frequently against their native countries, even when not regularly naturalized;

That they all allow their own subjects to emigrate to foreign countries;

That although examples may be found of the punishment of their native subjects taken in arms against them, the examples are few, and have either been marked by peculiar circumstances, taking them out of the controverted principle, or have proceeded from the passions or policy of the occasion. Even in prosecutions and convictions having the latter origin, the final act of punishment has, with little exception, been prevented by a sense of equity and humanity, or a dread of retaliation. It is confidently believed, that no instance can be found in which the alleged purposes of the enemy against the twenty-three prisoners in question, under all the circumstances which belong to their case, even though any of them may not have been regularly naturalized, are countenanced by the proceedings of any European nation;

That if no instances occur of retaliation in the few cases requiring it, or in any of them, by the governments employing such persons, it has been, as is presumed, because the punishment which had been inflicted by the native country, might be accounted for on some principle other than its denial of the right of emigration and naturalization. Had the government employing the persons, so punished by their native country, retaliated

in such cases, it might have incurred the reproach either of countenancing acknowledged crimes, or of following the example of the other party in acts of cruelty, exciting horror, rather than of fulfilling its pledge to innocent persons in support of rights fairly obtained, and sanctioned by the general opinion and practice of all the nations of Europe, ancient and modern.

§ 6. On the 24th of January, in the senate, Mr. Mason submitted the following resolution for consideration:

Resolved, That the department of the treasury is a principal and indispensable office in the administration of the government of the United States.

That the duties of this office are at all times important; that at the present time, when plans of finance are to be devised, taxes to be imposed, loans to be obtained, and large sums of money to be expended and accounted for, these duties have become more arduous, and that the talents, integrity, and diligence of a competent and responsible officer are alone sufficient to discharge them.

That by his message of the 7th of June last the president of the United States informed the senate that he had commissioned Albert Gallatin, then secretary of the department of the treasury, to proceed to Russia, and there with others to negociate treaties of peace and commerce with Great Britain, and a treaty of commerce with Russia.

That pursuant to such commission Albert Gallatin departed from the United States in the month of May last, and hath ever since been and still remains without the limits of the United States.

That by reason of the said commissioning, departure, and absence from the United States of the said Albert Gallatin, the office of the secretary of the treasury became vacant, and is now vacant.

That such vacancy in the office of the secretary of the treasury affects the public credit, retards the current service, endangers the general welfare, and ought no longer to exist.

The question on the adoption of this resolution was made the order of the day for the 7th of February. When it was called up—

Mr. Bibb, of Georgia, said, that when the resolution should be discussed, he believed he could show that it was out of order, and therefore not admissible; but as he was about to propose a postponement, he should not raise the question of order. Whenever, he said, it should be ascertained by the executive that Mr. Gallatin would not speedily return, it had been in its contemplation to appoint a secretary of the treasury in his stead.

Late circumstances had induced the impression that his speedy arrival was at least doubtful; and he believed that the executive had determined to appoint a secretary for the department over which that gentleman had presided. This was a reason sufficient to induce the mover of these resolutions to consent to postpone their consideration. If a secretary should not soon be nominated, the resolutions might be taken up, and Mr. B. said he would submit the question of order to which he had before adverted. But he had, on his part, no sort of doubt the alleged vacancy in the treasury would in the mean time be filled.

The following day Mr. Gallatin was nominated as one of the commissioners to Gottenburg, and Mr. George W. Campbell, then a senator from Tennessee, as secretary of the treasury. Both of these nominations were confirmed by the senate.

§ 7. On the 14th, on motion of Mr. Mason, the resolution that he had submitted was postponed indefinitely, and he then submitted the following:

Resolved, That a committee be appointed to enquire in what cases the president of the United States may, consistently with the constitution, be authorized by law to appoint persons, without the advice and consent of the senate, to perform the duties of the secretary of state, of the secretary of the treasury, of the secretary of war, and of the secretary of the navy: and also to enquire whether it be necessary or expedient to repeal or amend the act of the 8th of May, 1792, entitled "an act making alterations in the treasury and war departments," and the act of the 13th February, 1795, amending the aforesaid act: and that said committee report by bill or otherwise*.

This resolution, however, was never acted on.

§ 8. On the 28th of February, Mr. Gore submitted the following resolutions to the consideration of the senate:

The president of the United States having by the constitution "power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session,"

Resolved, That in the opinion of the senate no such vacancy can happen in any office not before full.

* The following is the law regulating vacancies in the departments:

"Be it enacted, &c. That in case of vacancy in the office of secretary of state, secretary of the treasury, or of the secretary of the department of war, or of any officer of either of the said departments, whose appointment is not in the head thereof, whereby they cannot perform the duties of their said respective offices; it shall be lawful for the president of the United States, in case he shall think it necessary, to authorize any person or persons, at his discretion, to perform the duties of the said respective offices, until a successor be appointed, or such vacancy be filled: Provided, That no one vacancy shall be supplied, in manner aforesaid, for a longer term than six months."

Resolved, That in the opinion of the senate the office of envoy extraordinary and minister plenipotentiary, to negociate and sign a treaty of peace with the united kingdom of Great Britain and Ireland, had not been filled at any time after the declaration of war upon the eighteenth day of June, A. D. 1812, and before the late recess of the senate upon the third day of March last, when the same was not full.

Resolved, That the granting of commissions to Albert Gallatin, John Q. Adams, and James A. Bayard, to be envoys extraordinary and ministers plenipotentiary to negociate and sign a treaty of peace with the united kingdom of Great Britain and Ireland, during the late recess of the senate, as in the president's message to the senate of the twenty-ninth day of Ma last, is stated to have been done, was not, in the opinion of the senate, authorized by the constitution, inasmuch as a vacancy in that office did not happen during such recess of the senate, and as the senate had not advised and consented to their appointment: whereupon

Resolved, That while the senate venerate the authority and dignity of the office of president of the United States, and will, at all times, as a high and essential power in the constitution, exert themselves to maintain and preserve undiminished the whole executive authority thereby established, they owe it to the trust confided to themselves as well as to the states, their constituents, to protect the power over appointments to office, which the constitution has placed in that body. From these considerations, joined to the conviction that the rights of the senate have been infringed by an important act, to the validity of which the advice and consent of the senate were essential, the senate find themselves called upon by their duty to the states, and in support of the constitution, reluctantly to protest, and they do hereby solemnly protest against the commissioning as aforesaid of Albert Gallatin, John Q. Adams, and James A. Bayard, as an act not authorized by the constitution, and in the performance of which the power of the senate has been disregarded.

Resolved, That an authenticated copy of the foregoing resolution be delivered to the president, by a committee of members of the senate.

Mr. Gore accompanied these resolutions with a few remarks in their support. The power of appointment, said he, is vested, by the constitution, conjointly, in two branches of the government. A case is described, in which one branch may, under special circumstances, exercise a modified power. What is that case? It is the case of a vacancy in an office, a vacancy of a certain and definite character, viz. a vacancy that may happen

during the recess of the senate. An office is created by the constitution, or by some law, in pursuance thereof. A vacancy may be said to exist in such office, immediately after its creation. Such, however, is not the case provided for by the clause under examination. It is the case of a vacancy, *that may happen*, during the recess of the senate. If the vacancy existed during the session, it could not be said to have *happened* during the recess. If a vacancy *happened* in an office, the office must have been before full; for to assert that a vacancy has happened, necessarily implies the fact, that such office had previously an incumbent, that it was before full. If a vacancy existed prior to, it does not *happen* in the recess of the senate. Therefore, for a vacancy to happen, at any time, in an office, that office must have been full at some time previous to the period when it did happen; for a vacancy to happen during the recess of the senate, the office must have been full during their session prior to, and at the commencement of their recess. Were it not for the precision of language used in this grant to the president, and the unavoidable construction thereof, a great and manifest object of the constitution, viz. the vesting the power of appointment in two great organs of the government, the president and the senate, might have been totally defeated, by an assumption of the whole power by the president. Vacancies exist in all offices, however created, until persons are appointed to fill them. If an office had been created by law, or otherwise, and brought into existence during the session of the senate, it would be only for the president to wait until their recess to commission a person to fill the vacant office, prefer his name to the senate, at their next session, and a short time before their recess. If disapproved, he may be recommissioned immediately on the adjournment, and the same course be pursued at the subsequent as at the preceding session. In this way an officer, and if one, all officers might be commissioned and continued in office as long as the president should please, not only without, but contrary to the advice and consent of the senate, a department of the government constituted by the constitution an essential branch in the power of appointment.

It has been suggested, that the president has a right, by the constitution, to create the office of ambassadors, and other public ministers. An office is created by the constitution, or by some power under it. Prior to its being so created, it does not exist. Whatever power is granted, as regards the appointment of public ministers, is in that clause which says the president shall nominate, and by and with the advice and consent of the senate, shall appoint. If this, then, be the power of creating the office,

it must be an actual appointment, and that can be only by the president and senate. No other authority than what is embraced by these words can be found for the creation of the office of public minister; and this is not in the president alone, but in the president and senate. In other words, the appointment makes the office, and the appointment cannot be made without the concurrent judgment of these two great organs of the government.

Perhaps it may be more proper to consider the office of ambassador and public minister as necessarily existing, from the relation of the United States, as an independent power, to other independent powers, and thus recognized by the constitution. Most offices are created by laws enacted by congress. The practice has been, in cases where there is reason to apprehend that sufficient time will not be afforded, during the session of the senate, for a proper selection of persons to fill such offices, and that inconveniences might result from delay till their next session, to authorize the president to appoint such officers in the recess of the senate. This course will be found to have been adopted early in the history of this government. There is one act to this effect of March 3, 1791, vol. 1, page 301. This was in the second session of the first congress. And the practice has been invariably continued since. An act is also made (March 3, 1799), to authorize the president to fill up the vacancies that happened during the session of the senate.

In these cases the offices undoubtedly exist, and the authority given to the president in them, goes on the presumption that there exists a vacancy at the time of passing the act, and that such vacancy will exist during the recess of the senate. If nothing further were necessary, than the existence of an office, and a vacancy therein, to entitle the president, constitutionally, to make the appointment, in the recess of the senate, this authority by law would be unnecessary.

Congress then, and this senate, as one branch of congress, seem to have settled the question, and one may fairly say, the president also; for if, in his opinion, the power of appointment to vacant offices was vested in him by the constitution, he would hardly consent to receive that power from congress, especially as thus receiving it must be construed an acknowledgment, that he could derive no such power immediately from the constitution. The construction of an instrument made contemporaneously with, or shortly after its formation, may be safely relied on for disclosing the intention of the framers, in the language they used.

It is well known, that the first president of the United States, was also president of the convention that reported the constitution, and that two of the heads of departments, and many of the first senate had been distinguished members of the same convention.

It will be found by a reference to the executive journals of the senate, during the administration of president Washington, that at each session of the senate, and shortly after their meeting, he sent messages on the subject of appointment, during the recess, that left no doubt of his construction of the constitution in this particular—1 vol. 236, 389. 2 vol. 9, 76. In addition to the conclusion to be drawn from these messages of president Washington, a fact is stated by chief justice Marshall in his life of Washington, which shows distinctly the construction of that great man on his constitutional powers, in a case analogous to the one under consideration, and that, notwithstanding the circumstances were urgent, he did not feel himself authorized to act in the recess of the senate, in the case of a vacancy, that did not happen in such recess.

To the end, then, that we may arrest the progress of an evil which subverts the organization of the government, by depriving the senate of their constitutional authorities, and vesting them in the president of the United States, I propose those resolutions, which contain the solemn protest of the senate, and provide for its presentation to the supreme magistrate.

Mr. Horsey, of Delaware, opposed the adoption of the resolutions. The president and senate, he said, were two co-ordinate departments of government perfectly independent. Neither had a right to pass a vote implying censure on the other. The senate have no right to meddle with the qualified power of appointment vested by the constitution in the president, otherwise than by means of the important checks vested in them by the same instrument, viz. their controlling power in appointments, which must be submitted to them in the following session; and their control over the treaty-making power. If the point were doubtful, therefore, or even if the president were clearly in the wrong, the policy of passing these resolutions is very questionable.

But I humbly think, continued Mr. Horsey, that the question is not doubtful. I believe that the president has given the just and true, and at the same time the most fit and practicable construction to the constitution. An instrument drawn with so much brevity, and in such general terms as the constitution of the United States, could not specify every power which might be necessary and indispensable to a due and practical administration of the government. Indeed to have made such specifica-

tions, would have required attributes with which it has not been the pleasure of the Deity to endow imperfect man. The government, therefore, and the several departments, in the execution of their powers, of necessity resort in many instances to the doctrine of construction. Hence the powers of the government are either *specified* or *constructive*.—The power of the president to displace from office is not a specified, but a constructive power—a power of greater magnitude and much more doubtful construction than the one in question. The power of the congress to establish a national bank is not an express but a constructive power. The power of the executive, to recal or supersede, at pleasure, a public minister, without consulting the senate, though but just appointed by their advice and consent, is also a constructive and a very extraordinary power. The power of the president to issue instructions to all public ministers, to direct the time, the place, the manner, and the temper of the negotiation—to continue or to break it off--are all constructive powers, involving the relations of peace and war. The powers of the president to dismiss a foreign minister—to acknowledge the government and independence of a foreign nation—are powers of the greatest magnitude, involving the best interests of society, and yet more constructive powers. It is, therefore, apparent that the constitution is an instrument which in practice does not admit of that strict and literal interpretation which the honourable mover contends for. You cannot give it life or effect if you interpret it, like a penal statute, according to the dead letter.

The constitution vests the *general* power of appointment in the president and senate conjointly, and a *modified* power of appointment in the president alone. The question then is, had the president an authority to issue these commissions during the recess of the senate?

First, is the authority within the *letter* of the constitution?

The office of a public minister is not an office created by the constitution, nor by any municipal law, but emanates from the laws of nations. It is an office which requires the assent of foreign powers; it depends upon events, upon the state of foreign affairs. The office, therefore, attaches, whenever the *occasion arises to use it*, and the act of appointment is the consummation of the office.

If therefore the occasion arises whilst the senate are in session, the office must be consummated by the concurrent act of the president and the senate; if it arise during the recess of the senate, it may be consummated by the act of the president alone, subject however to expire at the end of the next session of the senate.

If this view be correct, and the occasion for the office happens during the recess of the senate, then the office attaches during the recess, and of consequence the *vacancy happens during the recess*, which would bring the power of the president *to fill it up* strictly within the *letter* of the constitution.

Secondly, is the authority within the *intent* and *policy* of the constitution?

The primary objects of the constitution are, the public peace and general welfare. Whatever interpretation may be calculated to insure the one and promote the other, ought in my humble judgment to be given, provided it be within the rules of a liberal and equitable construction; provided it be within the intent and policy of the constitution. Now what is the intent and policy of the constitution upon this subject? The *general* power of appointment is given to the president *and* the senate. But from the peculiar constitution of the senate, a body composed of members coming from every state in the union, however distant, a body not permanently in session, but out of session in common times eight months in the year, the framers of the constitution at once saw, that the power, as a general power of appointment, was defective. Hence it became necessary to provide a *modified* power to remedy this defect, and to represent the general power when the general power was not in a condition to act. This was indispensable, or else the mischiefs and embarrassments resulting to the government and the public must have been intolerable. The modified power was therefore intended as a substitute for the general power, when the general power was not in session, and unable to perform its functions. All I contend for is, that we ought not so to restrict the modified power as to defeat the remedy or render it short of its object; that the modified power ought to be able so to act, as to supply the defect of the general power, and that whatever authority is necessary fairly to this purpose, is within the intent and equity, if not the letter of the constitution.

Let us now, said Mr. Horsey, test those principles. In the management of the foreign affairs of a great commercial nation, having intercourse with all the commercial powers of the earth, in order to keep up this intercourse to advantage, and to preserve the relations of peace and friendship, many agents, diplomatic and consular, are necessary. In the appointment of these the utmost secrecy and dispatch are often times of vital importance.

In seasons of war every thing may depend on time. The event of a single battle may present a happy moment for negotiation. Great and sudden changes are perpetually taking place in the affairs of nations. A sudden war may break out between

one nation and another, between a foreign power and the United States; and will the honourable mover have it, that there is no power in this government competent to act with all the secrecy and promptitude which such an emergency might require?

Sometimes it may so happen that the time for instituting a negotiation may not depend on ourselves, but other powers. Suppose a general congress, to treat of a general peace, be agreed upon, and the United States are invited to join. The delay incident to the invitation would be long enough, but if the preparatory steps are to be retarded until the senate could be called, it is more than probable that the other powers concerned would not have the patience to wait for us. Indeed, their views and situation might not admit of it.

Take the doctrine of the honourable mover, and if a decisive battle be fought in Canada, resulting in our favour, and the enemy offer peace on our own terms, there is no power to appoint a commissioner even to conclude the preliminary articles, without a delay of at least two months, if the senate happen not to be in session! In the mean time the enemy may be reinforced or other changes happen, and the advantageous moment to end the war be lost, perhaps for ever.

If the late dispatch from lord Castlereagh had arrived in the recess of the senate, as it well might have done, was the president to wait till the senate could be convened, without taking even a preparatory step? Must the war be waged two months longer, and must the enemy wait our own time?

Suppose England had in good faith accepted the offered mediation of Russia, and that the acceptance had been announced with the offer to us, were we to wait until the senate could be got together? Were two precious months to be lost?

If your citizens are in captivity in Algiers—if your seamen are unjustly and cruelly confined in a foreign port, and the intelligence happen to arrive during the recess, the president has not the power to appoint even a consul to go to their immediate relief!

Surrounded as we are with Indian tribes, if a war suddenly break out, in the recess of the senate, there is no power to send a commissioner to make explanations or to treat with the hostile tribe—nor to make friends with the neighbouring tribes, but we must wait until the senate are summoned; and in the mean time those we might have gained over to us are by the delay turned against us.

The construction contended for by the honourable mover, is fraught with mischievous consequences, with evils and embarrassments incalculable. There is a passage in one of the num-

bers of the Federalist (by Mr. Hamilton), so applicable to this subject, that I will, with the permission of the senate, trouble them while I read it. "It seldom happens in the negotiations of treaties, of whatever nature," says this author, "but that perfect *secrecy* and immediate *dispatch* are sometimes requisite."

"They who have turned their attention to the affairs of men, must have perceived that there are tides in them. Tides very irregular in their duration, strength, and direction, and seldom found to run twice exactly in the same manner or measure. To discern and profit by these tides in national affairs, is the business of those who preside over them; and they who have had much experience on this head inform us, that there frequently are occasions when *days*, nay when even *hours* are precious. The loss of a battle, the death of a prince, the removal of a minister, or other circumstances intervening to change the present posture and aspect of affairs, may turn the most favourable tide into a course opposite to our wishes. As in the field, so in the cabinet, there are moments to be seized as they pass, and they who preside in either *should be left in capacity to improve them*. So often and so essentially have we heretofore suffered from the want of secrecy and dispatch, that the constitution would have been inexcusably defective, if no attention had been paid to those objects. Those matters which in negotiations usually require the most secrecy and the most dispatch, are those *preparatory and auxiliary measures*, which are no otherwise important in a national view, than as they tend to facilitate the attainment of the objects of the negociation."

I contend for no more, than that the president, in the absence of the senate, should possess the power to adopt those preparatory and auxiliary measures, without which, to use the language of the accomplished statesman just quoted, the constitution would have been inexcusably defective. The mere appointment of an ambassador or minister is but a preparatory and auxiliary step towards negotiation. The material and most essential part is the treaty. It is this which is the most important in a national view. This cannot be finally ratified and confirmed, without the advice and consent of the senate, and that too with the concurrence of two thirds of the members present. If the senate are not in session when the treaty is concluded, they must be convened, and in most instances the president, who is always advised of the progress and probable issue of the negotiation, may so manage, as to call the senate and have them in session at or about the time the treaty arrives. At any rate, after a treaty is signed a reasonable time is always allowed for its ratification

and exchange, and in fixing this time regard would always be paid to the distance and nature of ratifying powers.

It appears to me, then, that the construction for which I contend, to continue the language of the same author just quoted, gives to negotiations every advantage which can be derived from talents, integrity, and a deliberate investigation on the one hand, and from secrecy and dispatch on the other. It is a construction founded in fitness and convenience, and supported by cotemporaneous interpretation.

It has been the practical construction of the constitution from the earliest stages of the government, and upon experience was found to be essential to its due administration. It commenced with general Washington, was continued by Mr. Adams, and become much more prevalent with Mr. Jefferson, as appears by the numerous cases to be found in the department of state, and upon the executive journal of the senate*.

Mr. Horsey said that he attached no importance to the forms of the commissions issued to the commissioners. There is no form prescribed by the constitution or law, in which commissions are to issue, and therefore the form depends upon the pleasure of the executive, who alone is authorized to issue them. If a commission issue in the recess of the senate, whether it express the limitation or not, it necessarily expires at the time limited by the constitution; for it is the constitution, not the commission, that is operative as to the limitation. The person commissioned derives nothing from the commission but the mere appointment, which can be made as well in three lines as thirty†.

Mr. Gore, in reply, said, Gentlemen assume a latitude of construction for which they have not the smallest authority. They argue from what their imaginations suggest ought to be in the constitution, that it really is there by construction.

If any particular power be claimed by the government or any department thereof, the only way to ascertain if it can be lawfully exercised, is to examine if it be expressly granted by the constitution; if not, whether it be necessary to carry into execution any express power that is granted. If the power cannot be found under either of these heads, it does not exist, and no responsi-

* In a note to this speech we are presented with a long list of original appointments made by Washington, Adams, and Jefferson in the recess of the senate.

† Previous to this debate, the president had communicated to the senate, in conformity to a resolution submitted by Mr Gore, copies of the commission to Gallatin, Adams, and Bayard, and of two commissions granted by president Washington in the recess of the senate, from which it appears that the duration of the former was not limited, like that of the latter, to the "end of the next session of congress."

bility rests upon the government. They are not answerable for mischiefs, that flow from a want of power, which the people did not choose to delegate. But there is no reason to believe that any such mischiefs are to be apprehended.

What powers it would be expedient or proper for the government to possess, is one question, totally distinct from that which asks what powers it does possess, and the latter is the only one which those who administer the government have a right to make, in order to regulate their conduct. The first is settled by the convention of 1787, and the congress of the same year, and by the states who accepted and ratified the constitution proposed by the convention of Philadelphia. The other must be decided by the plain import of the words of the constitution.

The president intimates no necessity or urgent expediency as an excuse for this appointment. He commissions these gentlemen to act without any regard to the senate, or any limitation in time of the commission of the ministers—and it is asked why was it necessary, that the constitutional limitation should be inserted in the commission; the answer is obvious, viz. that the nation with whom they were to treat, might know the extent of their authority. It is a conclusive argument against the commissioning these envoys without the advice and consent of the senate, that any commission which the president had the smallest colour of right for issuing, must necessarily have been of no validity before they could possibly act under it; there being a moral certainty that the session of the senate succeeding the recess in which they were commissioned, would have ended before even their arrival at the intended scene of their operations; and by the time they came to act, if it was ever expected they would or could act, their commission would be of no avail, and they would have no more power to negotiate than any individual who walked the streets of St. Petersburg. This is a striking evidence of the consequences of promptitude of action, the benefits of which are presumed to justify any construction, that the executive may choose to adopt.

The other two commissions which the president was pleased to issue to these gentlemen, are in the same terms as to the extent of their power on the subject of trade with Great Britain and Russia, and no one has pretended there was the smallest occasion for haste on these two negotiations. They entirely disregard the senate, as though they were no more entitled to a voice in the appointment than any stranger to the government.

The necessity now pretended in argument is perfectly idle; and a case more perfectly free from any reason or apology than the one which has given rise to these resolutions cannot be well imagined.

After a discussion of considerable length, Mr. Gore's resolutions were indefinitely postponed.

§ 9. On the 5th of January Mr. Jackson brought forward the resolution which he had laid before the house of representatives last session*, for amending the constitution, so as to give congress power to tax exports, make roads and canals, and establish a national bank. No decision was had on this resolution during the session.

In the last winter session Mr. Pickens, of North Carolina, laid before the house a motion for amending the constitution as it respects the mode of electing representatives for congress and electors for president and vice-president†. Mr. P. again brought forward the resolution this session, confined, however, to the mode of choosing electors. This resolution was negatived, 83 to 64.

§ 10. On the 28th of December, in the house of representatives, Mr. Hanson, of Maryland, submitted the following resolutions for consideration:

Resolved, That the president be, and he is hereby requested to communicate to this house, any information in his possession, and which it may not be improper to divulge, in relation to the omission or refusal of the French government to accredit the minister plenipotentiary sent by the United States to that court, or of his reception, if accredited, of the time when he was so accredited, and of the progress of his negociation.

Resolved, That the president be, and he is hereby requested to cause to be laid before this house, any correspondence with, or communication in writing from, the late minister of France, resident at Washington, on or about the 14th of June, 1809, or subsequently with his successor, M. Serrurier, prescribing or declaring the terms and conditions upon which their sovereign would consent to treat of amity and commerce with the United States, if any such correspondence or communication be in the possession of the executive; and if none such be in the possession of the executive, that the president be, and he is hereby requested to inform this house, unless the public interest forbid such disclosure, whether there has not been such a correspondence or communication, which was withdrawn from the archives of the department of state, and if so, *when* and *how* the same was so withdrawn.

The house having agreed to consider them, 125 to 21, Mr. Eppes moved that they should be laid on the table and printed, which was agreed to.

* See vol. 1, p. 151. † See vol. 1, p. 87.

On the 10th of January Mr. Hanson withdrew the second resolution, and offered the following as a substitute:

Resolved, That a committee be appointed to enquire whether Mr. Turreau, late minister of France, did or did not, on or about the 14th of June, 1807, write a letter to the secretary of state, setting forth the terms and conditions upon which his government would treat of amity and commerce with the United States, and urging certain complaints against this government, and requiring certain political sacrifices to be made as an indispensable pre-requisite to the formation of such a treaty, and whether the said letter was not withdrawn from the archives of the department of state, and *how* and *when* it was so withdrawn; and that the said committee have power to send for persons and papers.

On the following day, the first resolution passed in the affirmative without a division. On the question being stated on the second,

Mr. Calhoun said, it was a good rule generally in cases of this kind, that enquiry be granted, where it is moved in a proper manner. On such motions a very great liberality had usually prevailed in this house, which had been displayed in the vote just taken. But, as to the particular resolution before us, it is of that class which ought not to be passed in the present stage of its existence. To induce the house to pass this resolution, there ought to be three things stated. To warrant the adoption, a specific object ought to be first stated; secondly, what was expected to grow out of it; and thirdly, that the object was of a character to warrant the investigation. Such enquiries as that now proposed, without these three pre-requisites, would, he conceived, violate the spirit of the constitution. By that instrument diplomacy was confided wholly to the executive. This house had indeed the power to require information, but it was through the executive department that it ought to be sought for, and not through inquisitorial committees of this house, or on such vague statements as had been made.

Mr. Hanson said, he had flattered himself, when he had the honour to make a statement a few days ago on this subject to the house, that his object would be distinctly understood. As to the proceeding which this house in its wisdom might think proper to ground on this resolution, it was not for him to dictate. Certain it was, that if any high and responsible officer had done any act for which he was amenable to the constitutional authority, it was the duty of this house to lay the foundation for an enquiry. The statement which he had made, was, of itself, he conceived, sufficient foundation for the house to proceed upon. He entertained no wish on his part to examine the department

of state, as the gentleman appeared to suppose, or any officer of the government, in relation to the object of the enquiry: on the contrary, he pledged himself to be able to prove the statement he then made, without resorting to any department of the government. He denied in toto the principle laid down by the gentleman from South Carolina on the subject of the grounds necessary to authorize enquiry. Do we not know, said he, that it is the practice in this house, as well as in the British parliament, that information given by any member rising in his place may be made the foundation of an enquiry? It had been stated in this house, that a letter of a most insulting nature, requiring of this government the most degrading political sacrifices, a letter striking at the honour of the government, had been transmitted by the French minister to the secretary of state, and placed on the files of that department. And what constituted the files of that office? If such a letter had been transmitted to the department of state, and suffered to remain in that office, was it not on the files of the department? Was it necessary that it should be recorded, to constitute its admission? It had remained in the office sufficiently long to give it an official character. What was the nature of this document? As far back as the year 1809—when a minister coming from England with full powers to negociate a treaty of amity and commerce was momently expected—the French minister addresses to this government a letter, to be held as a rod *in terrorem* if we presumed to negociate with Britain. This letter set forth certain pretended grievances, and required particular political sacrifices of our government, on the presumption that it was going to make a treaty with Great Britain. It appeared from that letter, that France set forth certain disgraceful and dishonourable conditions, on which alone it would remain at amity with this government. Now, call this document public or private, the question was—had it been received by our government? The views and feelings of the French government had been spread on paper, and could be as well known through a private as through a public document. As to the objection that the letter was a private letter addressed to the gentleman who held the office of secretary of state, but not in his official capacity, Mr. H. said that this objection was perfectly frivolous. The letter was addressed to Robert Smith, Esq. as secretary of state; it treated of nothing but public business; and the minister said he felt himself thus called upon to explain to the American the views of the French government. Not to go fully into the subject at this time, but merely to show that this house was already possessed of sufficient information to act on this subject, it was enough to say that a document of immense

importance to the nation had been concealed and suppressed from public view; that whilst we have gone on to consider France as a friendly power, yet, as far back as 1809, our government perfectly well knew that it had nothing to expect from the justice of France. And, after having made those political sacrifices, one after another, and thus done every thing required of us by this tool of a despot, what had we received in return? Had there been any restoration of the millions on millions of property stolen from us, or did the house know to this day, even, that our minister had been accredited at the French court?—It was of the utmost importance that such matters should be enquired into. It was a radical principle of our government that information should be as widely as possible diffused among the people; that they should not be kept in a situation of delusion; that they should not be hood-winked and blinded to the real state of our affairs with foreign nations—and it could not be denied that an impenetrable veil had heretofore been spread over our relations with France. Was it not of importance to this house and to the nation to know in what manner we had been involved in a war, which one half of this community knew to be unjust and unnecessary, and felt to be oppressive? Sir, said Mr. H. I want an opportunity to prove facts; and, if gentlemen then pronounce a verdict of acquittance, let them do so. But do not suppress an enquiry; do not, by smothering investigation, attempt to give impunity to such conduct. Gentlemen appeared to him, Mr. H. said, to take offence, as if they had a fee simple in the government, or a lease of power for ninety-nine years, renewable for ever, whenever any investigation was proposed which struck at the character of the executive. They must expect, said he, and if they do not they ought, that we shall use every fair and honourable means to oust them from the possession of power, which we feel they have abused. This house has pledged itself to the people, by implication, that this subject shall be investigated; and let me ask them what will be the impression if this motion be rejected? As to the impression I wish to produce, sir, the rejection of this motion will be tantamount to a positive proof of all that I have alleged.

Mr. Calhoun said he now hoped the house would refuse the enquiry proposed. He had asked for a specification of the object, and had received none. He had asked for practical consequences to result from it, and had received none. Mr. C. pronounced the resolution extraordinary in its character, and unprecedented in its form. The resolution went to break into the executive offices, to call *ex parte* witnesses before the house, for what purpose? For the highest purpose in the power of the

house? No; for a mere inquisitorial and vexatious procedure, which is, as no such purpose is avowed, to lay no foundation for *impeachment*, the only object which would justify the application of such means. Suppose it were proved that this letter was in fact written by gen. Turreau, and that all the other circumstances relating to it were true, which for himself he did not credit, what did it prove? Merely that an impertinent letter had been written by a foreign minister. Did the executive sanction it? No. What view the executive ought to take of such a letter, or how to treat it, depended on a variety of circumstances, on which this house had not the means to form an opinion. Mr. C. repeated the three requisites he had before stated as necessary to justify this enquiry. If gentlemen could show that a crime had been committed by the executive, of such a character as to make him amenable to the constitutional authority of this body, then and not till then would he consent to an enquiry which was equally a novelty in this house and in the history of legislation.

The question on the adoption of the second resolution was decided in the negative, 60 to 100.

§ 11. The next day Mr. Roberts, of Pennsylvania, moved a resolution, in exactly the same words as the original second resolution of Mr. Hanson, and which Mr. H. had withdrawn in favour of the one which had been yesterday rejected.

Mr. Hanson stated, as a reason for varying the form of his original motion to that which was yesterday debated, that new circumstances had come into his possession not before known, which rendered it useless to send to the president. The subject would be consigned to the tomb of all the Capulets, buried for ever, if the proposed course was taken, as in a like case at last session. We ask for bread, and they give us a stone; we ask for information, and they give us an argument. The facts are all we want. Mr. H. then moved to amend the resolution, so as to read nearly as follows:

"*Resolved*, That this house will, on the day of next, receive evidence at the bar of the house, of the manner in which and time when a certain paper, &c. &c. was withdrawn, &c. and how and in what manner it came into the possession of a member of this house, &c."

Mr. Hanson's amendment was negatived, and Mr. Roberts' motion carried by a large majority.

The answer of the executive to these resolutions will be found among the "State Papers" in a subsequent part of this volume, p. 24] and 26]. The letter of Turreau alluded to will be found in an appendix to this volume. It first appeared in a paper printed at Georgetown, D. C., and was stated by the editors to be in

the handwriting of Mr. Graham, chief clerk in the department of state.

On the 4th of February Mr. Hanson made another unavailing attempt to induce the house to receive testimony at the bar of the house relative to the manner in which the translation had come into his possession.

§ 12. On the 3d of January, in the house of representatives, Mr. Webster, of New Hampshire, moved that the message received last session from the president, in answer to certain resolutions of the house relative to the repeal of the French decrees, be referred to the committee of foreign relations.

The resolution was agreed to, after being so modified as to refer the message to a committee of the whole.

The subject, however, was not again acted on, the house refusing to take it up, on motion of Mr. Webster, on the 2d of April, 37 to 75.

CHAPTER VI.

§ 1. Rejection of the Russian mediation. § 2. Motion for papers relative to it. § 3. Abstract of those documents. § 4. Motion for a suspension of military operations. § 5. Resignation of the speaker. § 6. Relations with France. § 7. Organization of the navy department. § 8. Appropriations. § 9. Adjournment of congress.

§ 1. On the 6th of January, the president communicated to congress a letter from lord Castlereagh, stating the rejection of the Russian mediation by Great Britain, but offering to treat at London or Gottenburg.

§ 2. A few days afterwards, in the house of representatives, Mr. Calhoun, of South Carolina, after observing that, as the president had informed the house the Russian mediation was at an end, there could be no objection to calling for papers relative to it, offered a resolution to the following effect, which was agreed to, *nem. con.*

Resolved, That the president of the United States be requested to lay before the house such documents in relation to the Russian mediation, as, in his opinion, it may not be inexpedient to communicate.

In compliance with this resolution, the president communicated a correspondence between Mr. Daschkoff, the Russian minister in the United States, with the American secretary of

state, and also a correspondence on the same subject between Mr. Adams, the American minister at Petersburg, and the American secretary.

§ 3. From these documents it appears, that the emperor of Russia, having just concluded a treaty of peace with Great Britain, when the news of the American war arrived, "was much concerned and disappointed to find that the whole benefit which he expected his subjects would derive commercially from that event, defeated and lost" by this circumstance. Thinking, however, that he perceived "various indications that there was on both sides a reluctance at engaging in and prosecuting this war," "the emperor himself," as the chancellor count Romanzoff stated to Mr. Adams, conceived the idea of offering his mediation, under the impression, that an indirect negociation, "aided by the conciliatory wishes of a friend to both parties, might smooth down difficulties, which in direct discussion between the principals might be found insuperable. To a mutual friend, each party might exhibit all its claims, and all its complaints, without danger of exciting irritations or raising impediments. The part of Russia would only be to hear both sides, and to use her best endeavours to conciliate them."

Accordingly, the chancellor, in an interview which took place between him and the American minister on the 20th of September, inquired whether he was aware of any difficulty or obstacle on the part of the government of the United States, if the emperor should offer his mediation for the purpose of effecting a pacification.

To this question Mr. Adams replied, that it was obviously impossible for him to speak on this subject any otherwise than from the general knowledge which he had of the sentiments of his government; that he was so far from knowing what their ideas were with regard to the continuance of the war, that he had not to that day received any official communication of its declaration; but that he well knew it was with reluctance they engaged in the war; that he was very sure, whatever determination they might form upon the proposal of the emperor's mediation, they would receive and consider it as a new evidence of his majesty's regard and friendship for the United States; and that he was not aware of any obstacle or difficulty which would occasion them to decline accepting it.

Upon this assurance the chancellor said, that he should write to Mr. Daschkoff, and instruct him to make the proposition to the government of the United States, at the same time mentioning, that it had already been suggested by him to the British

ambassador lord Cathcart, who had the day before dispatched it by a messenger to his court.

This friendly offer of the emperor Alexander was accordingly made known to the American government by Mr. Daschkoff in the most courteous terms. After mentioning the regret of his imperial majesty at the shackles which this event is about to oppose to the commercial prosperity of nations, he observes: "The love of humanity and what he owes to his subjects, whose commerce had already sufficiently suffered, command him to do every thing in his power to remove the evils which this war is preparing even for those nations who will not take part in it;" adding, that "his majesty, who takes pleasure in doing justice to the wisdom of the government of the United States of America, is convinced that it has done all that it could to prevent this rupture." The offer of mediation is then formally made, in similar terms to those used by count Romanzoff at St. Petersburg.

The American secretary, in reply, states, that the president willingly accepts of the offered mediation, and pays some high compliments to the emperor Alexander for the friendly interest which his imperial majesty takes in the welfare of the United States.

The British government, meanwhile, had rejected the offered mediation, intimating, in terms of much politeness, that there was no sovereign whose mediation they should more readily accept than that of the emperor, but that their differences with the United States were of a nature *involving principles of the internal government of the British nation*, and which it was thought were not susceptible of being committed to the discussion of any mediation. The prince regent, however, is declared to be nevertheless ready to nominate plenipotentiaries to treat *directly* with those of America, at London, or, if that place should be objected to, at Gottenburg.

The sentiments of the prince regent were accordingly communicated to the American government by lord Castlereagh, with an assurance that the British government was actuated by an earnest desire for the adjustment of the differences subsisting between the two states, upon principles of perfect reciprocity, not inconsistent with the *established maxims of public law*, and with the *maritime rights of the British empire*, at the same time intimating that this business *could not be mixed with the affairs of the continent of Europe*.

This new proposition was immediately acceded to by the American government, and its readiness declared to treat on conditions of reciprocity consistent with the *rights of both parties*, as sovereign and independent nations; but it was remarked,

that the president had seen with regret the rejection of the mediation of the emperor by the prince regent, which could not, it was added, have been for the purpose of keeping the United States unconnected, against Great Britain, with any affairs of the continent, there being nothing in the proposed mediation tending to such a result, but merely an offer to bring the parties together, not as an umpire, but as a common friend.

In pursuance of the acceptance of the offer of Great Britain to treat at Gottenburg, John Quincy Adams, James A. Bayard (the commissioners appointed under the Russian mediation), Henry Clay, Jonathan Russell, and Albert Gallatin, were nominated to the senate; and being approved of, were appointed by the president as commissioners to proceed to Gottenburg to meet those appointed by the British government.

§ 4. Shortly after the offer of the British government to treat was laid before congress, Mr. Gaston submitted the following resolution in the house of representatives:

Resolved, That pending the negociations with Great Britain, it is inexpedient to prosecute military operations against the Canadas for invasion or conquest.

The house refused to consider the resolution, 92 to 67.

§ 5. In consequence of his appointment as minister to treat with Great Britain, Mr. Clay, on the 19th of January, resigned his station as speaker of the house of representatives, and Mr. Cheves, of South Carolina, was chosen in his place. After Mr. Clay left the chair, the following resolution was passed by the house, 144 to 9.

Resolved, That the thanks of this house be presented to Henry Clay, in testimony of their approbation of his conduct in the arduous and important duties assigned to him as speaker of this house.

§ 6. On the 13th of April Mr. Gaston moved the following resolution:

Resolved, That the president of the United States be requested to communicate to this house any information in his possession touching our relations with France, which in his judgment it is not improper to disclose.

This motion having been modified, on the suggestion of Mr. Grundy, by the insertion of the words "not heretofore communicated," was agreed to without a division.

For the president's answer to this communication see the State Papers in a subsequent part of this volume, p. 109].

§ 7. The two following resolutions were adopted by the senate, on the 18th of March, on motion of Mr. Gaillard:

Resolved, That it be the duty of the secretary of the navy to devise and digest a system for the better organization of the department of the navy of the United States, and to report the same to the senate at the commencement of their next session.

Resolved, That it be the duty of the secretary of the navy to digest or cause to be digested all laws now in force relative to the naval establishment and the marine corps, and to report the same to the senate at the commencement of their next session.

§ 8. The following sums were appropriated during this session:

For the Military Department.

For the pay of the army of the United States, including the private servants kept by officers, and for the pay of the volunteers and militia in the actual service of the United States,	$7,965,360	
For forage to officers,	264,576	
For subsistence of the army, and of volunteers and militia,	4,917,470	
For camp and field equipage,	460,000	
For the medical and hospital department,	255,000	
For bounties and premiums,	2,540,000	
For clothing,	2,036,000	
For the quarter-master's department,	3,500,000	
For ordnance and ordnance stores, including arsenals, magazines, and armories,	700,000	
For fortifications,	500,000	
For contingencies,	700,000	
For the Indian department,	464,500	

For the Navy.

For pay and subsistence of the officers, and pay of the seamen,	$2,579,341	
For provisions,	1,439,902	52
For medicines, hospital stores, and all expenses on account of the sick,	120,000	
For repairs of vessels,	1,500,000	
For contingent expences, including freight, transportation, and recruiting expences,	500,000	
For ordnance, ammunition, and military stores,	300,000	
For the navy yard, docks, and wharves,	100,000	
For pay and subsistence of the marine corps,	218,279	50
For clothing for the same,	71,788	10
For military stores for the same,	27,608	75
For contingent expenses for the same,	46,000	

For the Expenditure of the Civil List.

For compensation granted by law to the members of the senate and house of representatives, their officers and attendants,	$ 252,255
For the expence of fire-wood, stationary, printing, and all other contingent expenses of the two houses of congress,	50,000
For the expenses of the library of congress, including the librarian's allowance for the year 1814,	800
For compensation to the president and vice-president of the United States,	30,000
For compensation to the secretary of state, clerks, and persons employed in that department, including a clerk on old records, and a clerk and messenger in the patent office,	15,938
For additional compensation to the clerks in said department, not exceeding 15 per cent. on the sum allowed by the act entitled, "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"	1,072 50
For the incidental and contingent expenses of the said department, including the expense of printing and distributing 10,400 copies of the laws of the first and second sessions of the thirteenth congress, and printing the laws in newspapers,	20,250
For compensation to the secretary of the treasury, clerks and persons employed in his office,	13,299 81
For expence of translating foreign languages, allowance to the person employed in transmitting passports and sea-letters, and for stationary and printing in the office of the secretary of the treasury,	1,500
For compensation to the comptroller of the treasury, clerks and persons employed in his office, including the sum of $ 1,889, for compensation to his clerks, in addition to the sum allowed by the act of the 21st of April, 1806,	14,866
For expense of stationary and printing, and contingent expenses in the comptroller's office,	800

For compensation to the auditor of the treasury, clerks and persons employed in his office, 12,221

For expense of stationary and printing, and contingent expenses in the auditor's office, 500

For compensation to the treasurer, clerks and persons employed in his office, including the sum of $1000 for compensation to his clerks, in addition to the sum allowed by the act of the 21st of April, 1806, 7,227 45

For expense of stationary and printing, and contingent expenses in the treasurer's office, 300

For compensation to the commissioner of the general land-office, clerks and persons employed in his office, 12,410

For expense of stationary and printing, and contingent expenses of the general land-office, 3,700

For compensation to the commissioner of the revenue, clerks and persons employed in his office, 9,410

For expense of stationary and printing, and contingent expenses of the revenue office, including the sum of $5,325 73 cents, the amount of expenditures for these objects during the year 1813, for which no appropriation has been made, 9,978 36

For compensation to the register of the treasury, clerks and persons employed in his office, 16,052 02

For additional compensation to the clerks in the treasury department, not exceeding 15 per cent. on the sum allowed by the act entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes," 6,634 09

For compensation to the messenger of the register's office, for stamping and arranging ships' registers, 90

For expense of stationary and printing, and contingent expenses of the register's office, 2,800

For fuel and other contingent expenses of the treasury department, 4,000

For the purchase of books, maps, and charts, for the treasury department, 400

For compensation to a superintendant, and two

watchmen, employed to secure the buildings and records of the treasury department, during the year 1814, including expenses and repairs of two fire engines, buckets, and lanterns, 1,100

For defraying the expense of stating and printing the public accounts for the year 1814, 1,200

For compensation to the secretary of the commissioners of the sinking fund, 250

For compensation to the secretary of war, clerks and persons employed in his office, including the sum of $ 3,960, in addition to the sum allowed by the act of April 21st, 1806, 15,210

For expense of fuel, stationary, printing, and other contingent expenses in the office of the secretary of war, 2,000

For compensation to the accountant of the war department, clerks and persons employed in his office, including the sum of $ 15,000 for clerk hire, in addition to the sum allowed by the act of the 21st of April, 1806, 25,910

For contingent expenses in the office of the accountant of the war department, 1,000

For additional compensation to the clerks in the war department, not exceeding 15 per cent. on the sum allowed by the act entitled, "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes," 2,226

For compensation to the clerks and messenger in the office of the pay-master of the army, 9,500

For compensation to the superintendant-general of military supplies, clerks and persons employed in his office, 10,410

For contingent expenses in the office of the superintendant-general of military supplies, 500

For compensation to the clerks in the adjutant and inspector-general's office, 1,500

For compensation to the secretary of the navy, clerks and persons employed in his office, including the sum of $ 1,600 in addition to the sum allowed by the act of the 21st of April, 1806, 11,420

For contingent expenses in the office of the secretary of the navy,	2,500
For compensation to the accountant of the navy, clerks and persons employed in his office, including $ 750 for a deficiency in the appropriation for the year 1813, and a further sum of $ 3,000 in addition to the sum allowed by the act of April 21st, 1806,	14,160
For contingent expenses in the office of the accountant of the navy,	1,000
For additional compensation to the clerks in the navy department, not exceeding 15 per cent. on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes,"	1,935
For compensation to the post-master-general, assistant post-master-general, clerks and persons employed in the general post-office, including $ 1,203 25 cents for deficiencies in the appropriations for the years 1812 and 1813, and the sum of $ 5,755, in addition to the sum allowed for the compensation of clerks by the act of April 21st, 1806,	23,163 25
For contingent expenses of the general post-office	2,800
For additional compensation to the clerks employed in the general post-office, not exceeding fifteen per cent. on the sum allowed by the act, entitled "An act to regulate and fix the compensation of clerks, and to authorize the laying out certain public roads, and for other purposes"	1,401 75
For compensation to the several loan-officers	13,250
For compensation to the clerks of the commissioners of loans, including a sum of 2000 dollars in addition to the amount heretofore allowed by law, and for allowance to certain loan-officers, in lieu of clerk hire, and to defray the authorised expenses of the several loan-offices	17,000
For compensation to the surveyor-general, and his clerks	3,200
For compensation to the surveyor of lands south of Tennessee, and the clerks employ-	

ed in his office, and for stationary and other contingencies	3,200
For compensation to the officers of the mint, viz.	
The director	2,000
The treasurer	1,200
The assayer	1,500
The coiner	1,500
The melter and refiner	1,500
The engraver	1,200
One clerk at	700
One clerk at	500
For wages to the persons employed in the different operations of the mint, including the sum of one thousand dollars allowed to an assistant coiner and die forger, and six hundred dollars allowed to an assistant engraver	8,500
For repairs of furnaces, cost of iron and machinery, rents, and other contingent expenses of the mint	3,700
For allowances for wastage in the gold and silver coinage	3,000
For compensation to the governor, judges, and secretary of the Mississippi territory	9,000
For cost of stationary, office rent, and other contingent expenses of said territory	350
For compensation to the governor, judges, and secretary of the Indiana territory	6,600
For cost of stationary, office rent, and other contingent expenses of said territory	350
For compensation to the governor, judges, and secretary of the Michigan territory	6,600
For cost of stationary, office rent, and other contingent expenses of said territory	350
For compensation to the governor, judges, and secretary of the Missouri territory	7,800
For cost of stationary, office rent, and other contingent expenses of said territory	350
For compensation to the governor, judges, and secretary of the Illinois territory	6,600
For cost of stationary, office rent, and other contingent expenses of said territory	350
For the discharge of such demands against the United States, on account of the civil department, not otherwise provided for, as shall	

have been admitted in due course of settlement at the treasury	2,000	
For compensation granted by law to the chief justice, the associate judges, and district judges of the United States, including the chief justice and associate judges of the district of Columbia, and the attorney-general	62,000	
For like compensations granted to the several district attorneys of the United States, including those of the several territories	4,650	
For like compensations granted to the several marshals for the districts of Maine, New Hampshire, Vermont, New Jersey, North Carolina, Kentucky, Ohio, East and West Tennessee, and of the several territories of the United States	3,200	
For defraying the expenses of the supreme, circuit, and district courts of the United States, including the district of Columbia, and of jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, and for defraying the expenses of prosecutions for offences against the United States, and for the safe-keeping of prisoners	40,000	
For the payment of sundry pensions granted by the late government	860	
For the payment of the annual allowance to the invalid pensioners of the United States	98,000	
For the maintenance and support of light-houses, beacons, buoys, and public piers, stakeages of channels, bars, and shoals, including repairs and improvements, and contingent expenses	69,100	28
For the following objects, being the balances of former appropriations for the same purposes, carried to the surplus fund, viz.		
For erecting light-houses at the mouth of the Mississippi river, and at or near the pitch of Cape Look-out in North Carolina	20,000	
For building a light-house on the south point of Cumberland Island in Georgia	4,000	
For building a light-house on the south point of Sapelo Island in Georgia, and placing buoys and beacons on Dobay bar and Beach point	4,494	81

For placing buoys and beacons at or near the entrance of Beverly harbour in Massachusetts	350	
For erecting two lights on lake Erie, viz. on or near Bird Island, and on or near Presque Isle	4,000	
For placing two beacons and buoys at or near the entrance of the harbour of New Haven in Connecticut	100	
For placing buoys at the entrance of the harbour of Edgarton in Massachusetts	1,443	43
For placing buoys at or near the main bar and New Inlet Bar off Cape Fear in North Carolina	2,000	
For erecting a beacon on a point of land near New Inlet in North Carolina	1,800	
For completing the fitting up of all the light-houses with Winslow Lewis's improvements, in addition to the sums heretofore appropriated for that purpose	40,000	
For defraying the expense of surveying the public lands within the several territories of the United States	60,000	
For the support and safe keeping of prisoners of war	400,000	
For the contingent expenses of government	20,000	
For the expense of printing one thousand copies of the digest of manufactures, pursuant to a resolution of the house of representatives of the ninth of July, 1813	1,250	
For the support of sick and disabled seamen, in addition to the funds heretofore appropriated by law	20,000	
For the salaries, allowances, and contingent expenses of ministers to foreign nations, and of secretaries of legation	89,400	
For the contingent expenses of intercourse between the United States and foreign nations	50,000	
For expenses of intercourse with the Barbary powers	10,000	
For the relief and protection of distressed American seamen	30,000	
For expenses of agents at Paris and Copenhagen in relation to prize causes and captures of American vessels	4,000	

For the discharge of such miscellaneous claims against the United States, not otherwise provided for, as shall have been admitted in due course of settlement at the treasury, 4,000

The following additional appropriations were made at the end of the session:

For defraying the expences which have been or may be incurred in building and equipping vessels of war on Lakes Ontario and Champlain, to be paid, first, out of the balances of appropriations for the support of the navy remaining unexpended at the end of the year 1813, and, secondly, out of the surplus of any other appropriation which may in the opinion of the president be transferred to that object without injury to the public service, $ 625,000

For defraying the expence of additional clerks,

In the office of the secretary of the treasury, 1,000

In the office of the comptroller, 700

In the office of the auditor, 1,000

For the bounty, subsistence, clothing, and other expences of the marine corps, 189,291

For the bounty and pay of seamen for 1814, in addition to the sum already appropriated, 122,700

§ 9. Congress adjourned on the 18th of April, after fixing on the last Monday in October for their next meeting.

STATE PAPERS

LAID BEFORE

CONGRESS.

STATE PAPERS

LAID BEFORE

CONGRESS.

13th CONGRESS——2d SESSION.

Message from the President of the United States to both Houses of Congress, at the Commencement of the Second Session of the Thirteenth Congress.

Fellow-Citizens of the Senate & of the House of Representatives.

IN meeting you at the present interesting conjuncture, it would have been highly satisfactory if I could have communicated a favourable result to the mission charged with negociations for restoring peace. It was a just expectation from the respect due to the distinguished sovereign who had invited them by his offer of mediation; from the readiness with which the invitation was accepted on the part of the United States; and from the pledge to be found in an act of their legislature for the liberality which their plenipotentiaries would carry into the negociations, that no time would be lost by the British government in embracing the experiment for hastening a stop to the effusion of blood. A prompt and cordial acceptance of the mediation on that side was the less to be doubted as it was of a nature not to submit rights or pretensions on either side to the decision of an umpire; but to afford merely an opportunity, honourable and desirable to both, for discussing, and if possible adjusting them for the interest of both.

The British cabinet, either mistaking our desire of peace for a dread of British power, or misled by other fallacious calculations, has disappointed this reasonable anticipation.

No communications from our envoys having reached us, no information on the subject has been received from that source. But it is known that the mediation was declined in the first instance, and there is no evidence, notwithstanding the lapse of time, that a change of disposition in the British councils has taken place, or is to be expected.

Under such circumstances, a nation proud of its rights, and conscious of its strength, has no choice but an exertion of the one in support of the other.

To this determination, the best encouragement is derived from the success with which it has pleased the Almighty to bless our arms, both on the land and on the water.

Whilst proofs have been continued of the enterprize and skill of our cruisers, public and private, on the ocean, and a new trophy gained in the capture of a British by an American vessel of war, after an action giving celebrity to the name of the victorious commander, the great inland waters, on which the enemy were also to be encountered, have presented achievements of our naval arms, as brilliant in their character as they have been important in their consequences.

On Lake Erie, the squadron under command of captain Perry having met the British squadron of superior force, a sanguinary conflict ended in the capture of the whole. The conduct of that officer, adroit as it was daring, and which was so well seconded by his comrades, justly entitles them to the admiration and gratitude of their country, and will fill an early page in its naval annals, with a victory, never surpassed in lustre, however much it may have been in magnitude.

On Lake Ontario, the caution of the British commander, favoured by contingencies, frustrated the efforts of the American commander to bring on a decisive action. Captain Chauncey was able, however, to establish an ascendancy on that important theatre; and to prove, by the manner in which he effected every thing possible, that opportunities only were wanted, for a more shining display of his own talents and the gallantry of those under his command.

The success on Lake Erie having opened a passage to the territory of the enemy, the officer commanding the north-western army transferred the war thither, and rapidly pursuing the hostile troops fleeing with their savage associates, forced a general action, which quickly terminated in the capture of the British, and dispersion of the savage force.

This result is signally honourable to major-general Harrison, by whose military talents it was prepared; to colonel

Johnson and his mounted volunteers, whose impetuous onset gave a decisive blow to the ranks of the enemy; and to the spirit of the volunteer militia, equally brave and patriotic, who bore an interesting part in the scene; more especially to the chief magistrate of Kentucky, at the head of them, whose heroism, signalised in the war which established the independence of his country, sought, at an advanced age, a share in hardships and battles, for maintaining its rights and its safety.

The effect of these successes has been to rescue the inhabitants of Michigan from their oppressions, aggravated by gross infractions of the capitulation which subjected them to a foreign power; to alienate the savages of numerous tribes from the enemy, by whom they were disappointed and abandoned; and to relieve an extensive region of country from a merciless warfare which desolated its frontiers, and imposed on its citizens the most harrassing services.

In consequence of our naval superiority on lake Ontario, and the opportunity afforded by it for concentrating our forces by water, operations, which had been provisionally planned, were set on foot against the possessions of the enemy on the St. Lawrence. Such, however, was the delay produced, in the first instance, by adverse weather of unusual violence and continuance, and such the circumstances attending the final movements of the army, that the prospect, at one time so favourable, was not realised.

The cruelty of the enemy, in enlisting the savages into a war with a nation desirous of mutual emulation in mitigating its calamities, has not been confined to any one quarter. Wherever they could be turned against us, no exertions to effect it have been spared. On our south-western border, the Creek tribes, who, yielding to our persevering endeavours, were gradually acquiring more civilized habits, became the unfortunate victims of seduction. A war in that quarter has been the consequence, infuriated by a bloody fanaticism, recently propagated among them. It was necessary to crush such a war before it could spread among the contiguous tribes, and before it could favour enterprises of the enemy into that vicinity. With this view a force was called into the service of the United States from the states of Georgia and Tennessee, which, with the nearest regular troops, and other corps from the Mississippi territory, might not only chastise the savages into present peace, but make a lasting impression on their fears.

The progress of the expedition, as far as is yet known,

corresponds with the martial zeal with which it was espoused; and the best hopes of a satisfactory issue are authorised by the complete success with which a well planned enterprise was executed against a body of hostile savages, by a detachment of the volunteer militia of Tennessee, under the gallant command of general Coffee, and by a still more important victory over a larger body of them, gained under the immediate command of major-general Jackson, an officer equally distinguished for his patriotism and his military talents.

The systematic perseverance of the enemy in courting the aid of the savages in all quarters, had the natural effect of kindling their ordinary propensity to war into a passion, which, even among those best disposed towards the United States, was ready, if not employed on our side, to be turned against us. A departure from our protracted forbearance to accept the services tendered by them, has thus been forced upon us. But, in yielding to it, the retaliation has been mitigated as much as possible, both in its extent and in its character, stopping far short of the example of the enemy, who owe the advantages they have occasionally gained in battle, chiefly to the number of their savage associates; and who have not controlled them either from their usual practice of indiscriminate massacre on defenceless inhabitants, or from scenes of carnage without a parallel, on prisoners to the British arms, guarded by all the laws of humanity and of honourable war. For these enormities, the enemy are equally responsible, whether with the power to prevent them, they want the will, or with the knowledge of a want of power, they still avail themselves of such instruments.

In other respects the enemy are pursuing a course which threatens consequences most afflicting to humanity.

A standing law of Great Britain naturalizes, as is well known, all aliens complying with conditions limited to a shorter period than those required by the United States; and naturalized subjects are, in war, employed by her government in common with native subjects. In a contiguous British province, regulations promulgated since the commencement of the war, compel citizens of the United States, being there under certain circumstances, to bear arms; whilst of the native emigrants from the United States who compose much of the population of the province, a number have actually borne arms against the United States within their limits; some of whom after having done so, have become prisoners of war, and are now in our possession. The British commander in that province, nevertheless, with the sanction as

appears of his government, thought proper to select from American prisoners of war, and send to Great Britain for trial as criminals, a number of individuals, who had emigrated from the British dominions long prior to the state of war between the two nations, who had incorporated themselves into our political society, in the modes recognised by the law and the practice of Great Britain, and who were made prisoners of war, under the banners of their adopted country, fighting for its rights and its safety.

The protection due to these citizens requiring an effectual interposition in their behalf, a like number of British prisoners of war were put into confinement, with a notification that they would experience whatever violence might be committed on the American prisoners of war sent to Great Britain.

It was hoped that this necessary consequence of the step unadvisedly taken on the part of Great Britain would have led her government to reflect on the inconsistencies of its conduct, and that a sympathy with the British, if not with the American sufferers, would have arrested the cruel career opened by its example.

This was unhappily not the case. In violation both of consistency and of humanity, American officers and non-commissioned officers, in double the number of the British soldiers confined here, were ordered into close confinement, with formal notice, that in the event of a retaliation for the death which might be inflicted on the prisoners of war sent to Great Britain for trial, the officers so confined would be put to death also. It was notified at the same time that the commanders of the British fleets and armies on our coasts are instructed, in the same event, to proceed with a destructive severity against our towns and their inhabitants.

That no doubt might be left with the enemy of our adherence to the retaliatory resort imposed on us, a correspondent number of British officers, prisoners of war in our hands, were immediately put into close confinement, to abide the fate of those confined by the enemy; and the British government has been apprised of the determination of this government, to retaliate any other proceedings against us, contrary to the legitimate modes of warfare.

It is as fortunate for the United States that they have it in their power to meet the enemy in this deplorable contest, as it is honourable to them that they do not join in it but under the most imperious obligations, and with the humane purpose of effectuating a return to the established usages of war.

The views of the French government on the subjects which have been so long committed to negociation, have received no elucidation since the close of your late session. The minister plenipotentiary of the United States at Paris had not been enabled, by proper opportunities, to press the objects of his mission, as prescribed by his instructions.

The militia being always to be regarded as the great bulwark of defence and security for free states, and the constitution having wisely committed to the national authority a use of that force, as the best provision against an unsafe military establishment, as well as a resource peculiarly adapted to a country having the extent and the exposure of the United States, I recommend to congress a revision of the militia laws, for the purpose of securing more effectually the services of all detachments called into the employment, and placed under the government of the United States.

It will deserve the consideration of Congress, also, whether, among other improvements in the militia laws, justice does not require a regulation, under due precautions, for defraying the expense incident to the first assembling as well as the subsequent movements of detachments called into the national service.

To give to our vessels of war, public and private, the requisite advantage in their cruisers, it is of much importance that they should have, both for themselves and their prizes, the use of the ports and markets of friendly powers. With this view, I recommend to congress the expediency of such legal provisions as may supply the defects, or remove the doubts of the executive authority to allow to the cruisers of other powers, at war with enemies of the United States, such use of the American ports as may correspond with the privileges allowed by such powers to American cruisers.

During the year ending on the 30th of September last, the receipts into the treasury have exceeded thirty-seven millions and a half of dollars, of which near twenty-four millions were the produce of loans. After meeting all the demands for the public service, there remained in the treasury on that day, near seven millions of dollars. Under the authority contained in the act of the 2d of August last, for borrowing seven millions and a half of dollars, that sum has been obtained on terms more favourable to the United States than those of the preceding loan made during the present year. Further sums to a considerable amount will be necessary to be obtained in the same way during the ensuing year; and from the increased capital of the country, from the

fidelity with which the public engagements have been kept, and the public credit maintained, it may be expected on good grounds that the necessary pecuniary supplies will not be wanting.

The expenses of the current year, from the multiplied operations falling within it, have necessarily been extensive. But on a just estimate of the campaign, in which the mass of them has been incurred, the cost will not be found disproportionate to the advantages which have been gained. The campaign has, indeed, in its latter stages, in one quarter, been less favourable than was expected; but in addition to the importance of our naval success, the progress of the campaign has been filled with incidents highly honourable to the American arms.

The attacks of the enemy on Craney-Island, on Fort Meigs, on Sackett's Harbour, and on Sandusky, have been vigorously and successfully repulsed; nor have they in any case succeeded on either frontier, excepting when directed against the peaceable dwellings of individuals, or villages unprepared or undefended.

On the other hand, the movements of the American army have been followed by the reduction of York, and of Forts George, Erie, and Malden; by the recovery of Detroit and the extinction of the Indian war in the west; and by the occupancy or command of a large portion of Upper Canada. Battles have also been fought on the borders of the St. Lawrence, which, though not accomplishing their entire objects, reflect honour on the discipline and prowess of our soldiery, the best auguries of eventual victory. In the same scale are to be placed the late successes in the south, over one of the most powerful, which had become one of the most hostile also, of the Indian tribes.

It would be improper to close this communication without expressing a thankfulness, in which all ought to unite, for the numerous blessings with which our beloved country continues to be favoured; for the abundance which overspreads our land, and the prevailing health of its inhabitants; for the preservation of our internal tranquillity, and the stability of our free institutions; and, above all, for the light of Divine truth, and the protection of every man's conscience in the enjoyment of it. And although among our blessings we cannot number an exemption from the evils of war, yet these will never be regarded as the greatest of evils by the friends of liberty and of the rights of nations. Our country has before preferred them to the degraded condition which was the

alternative, when the sword was drawn in the cause which gave birth to our national independence; and none who contemplate the magnitude, and feel the value of that glorious event, will shrink from a struggle to maintain the high and happy ground on which it placed the American people.

With all good citizens, the justice and necessity of resisting wrongs and usurpations no longer to be borne, will sufficiently outweigh the privations and sacrifices, inseparable from a state of war. But it is a reflection, moreover, peculiarly consoling, that whilst wars are generally aggravated by their baneful effects on the internal improvements and permanent prosperity of the nations engaged in them, such is the favoured situation of the United States, that the calamities of the contest into which they have been compelled to enter, are mitigated by improvements and advantages of which the contest itself is the source.

If the war has increased the interruptions of our commerce, it has at the same time cherished and multiplied our manufactures, so as to make us independent of all other countries for the more essential branches, for which we ought to be dependent on none; and is even rapidly giving them an extent which will create additional staples in our future intercourse with foreign markets.

If much treasure has been expended, no inconsiderable portion of it has been applied to objects durable in their value, and necessary to our permanent safety.

If the war has exposed us to increased spoliations on the ocean, and to predatory incursions on the land, it has developed the national means of retaliating the former, and of providing protection against the latter; demonstrating to all, that every blow aimed at our maritime independence is an impulse accelerating the growth of our maritime power.

By diffusing through the mass of the nation the elements of military discipline and instruction; by augmenting and distributing warlike preparations, applicable to future use; by evincing the zeal and valour with which they will be employed, and the cheerfulness with which every necessary burden will be borne, a greater respect for our rights and a longer duration of our future peace are promised, than could be expected without these proofs of the national character and resources.

The war has proved, moreover, that our free government, like other free governments, though slow in its early movements, acquires in its progress a force proportioned to its freedom; and that the union of these states, the guardian of

the freedom and safety of all and of each, is strengthened by every occasion that puts it to the test.

In fine, the war, with all its vicissitudes, is illustrating the capacity and the destiny of the United States to be a great, a flourishing, and a powerful nation; worthy of the friendship which it is disposed to cultivate with all others; and authorised, by its own example, to require from all an observance of the laws of justice and reciprocity. Beyond these their claims have never extended; and, in contending for these, we behold a subject for our congratulations, in the daily testimonies of increasing harmony throughout the nation, and may humbly repose our trust in the smiles of Heaven on so righteous a cause.

JAMES MADISON.

Washington, Dec. 7, 1813.

Message from the President of the United States, recommending an Embargo, &c.

To the Senate and House of Representatives of the United States.

The tendency of our commercial and navigation laws, in their present state, to favour the enemy and thereby prolong the war, is more and more developed by experience. Supplies of the most essential kind, find their way, not only to British ports and British armies at a distance; but the armies in our neighbourhood, with which our own are contending, derive from our ports and outlets a subsistence attainable with difficulty, if at all, from other sources. Even the fleets and troops infesting our coasts and waters, are, by like supplies, accommodated and encouraged in their predatory and incursive warfare.

Abuses having a like tendency take place in our import trade. British fabrics and products find their way into our ports under the name and from the ports of other countries; and often in British vessels disguised as neutrals by false colours and papers.

To these abuses it may be added that illegal importations are openly made with advantage to the violaters of the law, produced by under valuations or other circumstances involved in the course of the judicial proceedings against them.

It is found also, that the practice of ransoming is a cover for collusive captures, and a channel for intelligence advantageous to the enemy.

To remedy as much as possible these evils, I recommend:

That an effectual embargo on exports be immediately enacted.

That all articles known to be derived either not at all, or in an immaterial degree only, from the productions of any other country than Great Britain, and particularly the extensive articles made of wool and cotton materials, and ardent spirits made from the cane, be expressly and absolutely prohibited, from whatever port or place or in whatever vessels the same may be brought into the United States; and that all violations of the non-importation act be subjected to adequate penalties.

That among the proofs of the neutral and national character of foreign vessels, it be required that the masters and supercargoes and three-fourths at least of the crews, be citizens or subjects of the country under whose flag the vessels sail.

That all persons concerned in collusive captures by the enemy; or in ransoming vessels or their cargoes from the enemy, be subjected to adequate penalties.

To shorten as much as possible the duration of the war, it is indispensable that the enemy should feel all the pressure that can be given to it; and the restraints having that tendency, will be borne with the greater cheefulness by all good citizens; as the restraints will affect those most who are most ready to sacrifice the interest of their country, in pursuit of their own.

JAMES MADISON.

December 9, 1813.

Letter from the Commissioner of the General Land Office, respecting the Public Lands of the United States.

Treasury Department,
General Land Office, Dec. 30th, 1813.

Sir,

I have the honour herewith to enclose a report respecting the public lands of the United States, and am with great respect,

Your most obedient humble servant,

EDWARD TIFFIN.

The honourable the Speaker of the House of Representatives of the United States.

Treasury Department,

Sir, *General Land Office, Dec. 30th*, 1813.

Although the law establishing the General Land Office does not require the commissioner to make an annual report of the state of that part of the public concerns confided to his care, yet as there has been a considerable accession of new members to the national legislature, I have thought it would be acceptable to have a comprehensive view of the extent and situation of the public lands, that such legislative provisions as are required may be the more readily perceived.

A report made to the senate on the 19th of February, 1812, by the chairman of a committee charged with an inquiry into the state of the public lands, together with the accompanying documents from the honourable the secretary of the treasury, afforded the most ample information which the nature of such inquiry could at that time furnish, and has much abridged the labour that would otherwise have been necessary in preparing this memoir.

It appears from public documents in this department, that the United States, after deducting all that has been sold, and leaving a sufficiency to satisfy every lawful claim, will possess a national domain of at least four hundred million acres of land, embracing a variety of soil and climate capable of furnishing all that is necessary for supplying the wants, and affording most of the luxuries of life to man, and which if properly managed, will secure auxiliary aids to the government for ages yet to come.

This four hundred million of acres are situated as follows:—

In the state of Ohio.

Lands to which the Indian title has been extinguished,	6,725,000	
Lands to which the Indian title has not been extinguished,	5,575,000	
Total number of acres of land in Ohio,		12,300,000

In the territory of Michigan.

Lands to which the Indian title has been extinguished,	5,100,000	
Lands to which the Indian title has not been extinguished,	11,400,000	
Total number of acres of land in Michigan,		16,500,000

In the Indiana and Illinois south of parallel of latitude passing by the southern extremity of lake Michigan.		
Lands to which the Indian title has been extinguished,	33,000,000	
Lands to which the Indian title has not been extinguished,	23,200,000	
Total number of acres in Indiana and Illinois, - - - - - -		56,200,000
In the territory west of lake Michigan and north of said parallel of latitude.		
Lands to which the Indian title has been extinguished,	5,500,000	
Lands to which the Indian title has not been extinguished,	54,500,000	
Total number of acres west of Michigan,		60,000,000
In the Mississippi territory.		
Lands to which the Indian title has been extinguished,	5,900,000	
Lands to which the Indian title has not been extinguished,	49,100,000	
Total number of acres in the Mississippi,		55,000,000
In the cession made by the French government the 30th of April, 1803, and including the territory of Missouri, the state of Louisiana, and the lands east of the river Mississippi and island of New Orleans as far as the river Perdido, at least,		200,000,000
Grand total number of acres of land,		400,000,000

In the last described portion of territory, it has not yet been correctly ascertained what proportion of the Indian title has been extinguished; but prior to the period when the United States became possessed of the country, a considerable quantity had been ceded by the Indians, and since that period cessions have been obtained of the Sacs, Foxes, and Osages, which with the lands in the occupancy of the inhabitants, are supposed to amount to from twenty-five to thirty million of acres.

This delightful region, embracing a surface of two hundred million of acres, has heretofore been least known; but our

very intelligent principal surveyor south of Tennessee, who, under instructions from this department, has been running township lines to ascertain its character and value, gives the most flattering account of it, and from whose information we may safely infer that at no very distant period, the United States will not only be able to procure, within its own boundaries, a sufficiency of sugar, rum, (perhaps coffee) molasses, and most of the tropical fruits for their own consumption, but be able to spare some for exportation. Within a year last past, there has been discovered tracts of country equal to many of the West India islands, for quality of soil not only fit for, but of the kind best adapted to produce that precious salt. Extracts from some of the communications of the surveyor, will best explain the situation of the lands there. In a letter dated the 21st of January, 1813, he writes, "I have the honour herewith to transmit to you two rough sketches of the north and south-east district of Louisiana, that you may more distinctly perceive the character of the country. Contrary to our expectations or hope, we are informed that there is a large body of high primitive soil, extremely rich and valuable, situated south-west of Orleans, about twenty miles distant, and from twenty to fifty miles in extent, on which a flock of some hundreds of buffaloe range, and have remained for many years past living on the high cane lands during the season of inundations, and ranging through the salt marshes during the season of low water. This information is obtained by one of our deputies, and I presume may be relied on; if so, it will at once become the most valuable and saleable tract of land in this country, it being in the best position for the growth of sugar cane."

In another, dated September 3d, 1813—he writes "My principal deputy for the south-eastern district of Louisiana, has been employed for some time past in extending township lines through, and exploring the southern portion of his district. He represents that there are a number of islands on the coast, some of them of considerable size, and good soil; he found a body of high rich land in the neighbourhood of the ocean, extending along the bayous running into the bays.

"Our surveyors have made some progress in surveying tracts on the water courses, under the law for surveying lands on water courses in Louisiana; the lands on the bayou they have been surveying (bayou Cayou) for about thirty miles up; it extends back from that water course about half a mile of high, apparently primitive soil, heavily timbered and of the richest quality, thence it descends four hundred and

sixty-five perches; there are several other bayous similarly situated with valuable lands on their margins; these lands are as far south as the Balize or mouth of the Mississippi; they are exposed to the ocean, and of course better calculated for the growth of sugar cane than any lands in the Mississippi. This tract of country, and the approach to it by water, are very little or not at all known. It would doubtless add much to the value of those lands, and promote their ready sale, to have an accurate survey of the coast, bays, and islands, in front, annexed to the survey of the interior country; so that purchasers or those disposed to purchase lands there, might see the advantage those lands possess, and their convenient approach and communication with the ocean."

It would swell this paper too much to detail minutely the several representations made of this immensely valuable country, immensely valuable, whether considered as it respects its surface and situation, the products it may be rendered capable of furnishing, or the treasure it is destined to pour into the national coffers.

In this region a land office is directed by law to be opened in the territory of Missouri, as soon as the private claims are all ascertained and the lands surveyed; and from which territory alone, it is believed inexhaustible stores of lead may be obtained.

In the state of Louisiana, three land offices are provided for by law, one at New Orleans for the eastern land district, one at Oppelousas for the western land district, south of Red river, and the other at such place, north of Red river, as the President of the United States shall designate; the land officers in these districts are progressing to a close in ascertaining the character and extent of the private claims, and the surveyors have prepared a considerable part of the eastern district for market, and are progressing fast with the remainder.

In that portion of the country lying east of the river Mississippi and island of New Orleans as far as the river Perdido, two commissions have been erected by law, one west, the other east of Pearl river, to ascertain the nature and extent of private claims derived from either the French, British, or Spanish governments, and to obtain a list of all the actual settlers who have no claims to lands derived from either of those governments, and who are satisfactorily progressing in the discharge of their official duties.

In the territory of Illinois two land offices are directed by law to be opened, one at Kaskaskia, the other at Shawnee-

town, so soon as the private claims and donations are all located, and the lands surveyed, which are in great forwardness. By an act of congress passed on the 30th of April, 1810, it was provided in section 6, "that a tract of land in the Illinois territory, at and including Shawneetown on the Ohio river, shall, under the direction of the surveyor general, be laid off into town lots, streets, and avenues, and into out lots, in such manner and of such dimensions as he may judge proper," &c. &c. I quote the words of the act, to show that it was mandatory on the surveyor general; for it appears, a most unfortunate selection of a scite for this town has been made, and that notwithstanding the expense already incurred in laying out the town, it will be necessary to abandon it. To show the causes for such determination I beg leave to give extracts from some of the representations made to this office by the present surveyor general, one of the territorial judges, the principal deputy surveyor, and one of the late commissioners at Kaskaskia, who write August 14th, 1813, as follows:

"When I recently recommended a small change in the plat of Shawneetown, it was then my decided conviction that the scite itself ought to be changed, but not knowing that others would feel an interest sufficient to induce them to unite in such a recommendation, I was unwilling to move alone in so important an object. I was an eye witness to one of the two inundations by which that place was visited last spring, and to the great distresses and losses which were experienced. I had before observed, in riding through the woods surrounding the town, the extraordinary height of the water marks upon the trees, which were so visible, for the space of about two miles on the road to the salines, that one might imagine himself riding under water to the depth of from 12 to 15 feet; but the last spring I saw the water itself even at a greater height than had been marked by the icy freshes of winter. I rode upon the flood for more than two weeks in a keel boat over the principal street of the town lashed to a merchant's store, and the boat was upon a level with its roof; an attack of ague and fever then compelled me to quit and seek health in the high lands of Kentucky. The flood continued to rise a few feet afterwards, and was nearly as long in falling as it was in rising; a second inundation quickly succeeded; when the waters rose as high as in the first. At the time I left the boat the waters were about midway on the roofs of the houses generally, and quite to the ridge poles of several. Being heavy log cabins they usually

did not float till immersed to the last mentioned depth, and I saw from 15 to 20 float away; about 40 in the whole floated off. It was a merciful providence that the wind did not blow hard in either of the inundations, for if it had done so, every building of every description must unquestionably have been demolished and swept off. I need not describe the distresses and losses of the inhabitants—several were sickened—some died. Every beast perished which could not be taken into boats, or was not seasonably driven to the high lands. All the fences, with every description of improvements around and in the houses, which could float, were taken off. The time occupied by both freshes was about 10 weeks; I mean the time that the water lay over the surface of Shawneetown."

It has been observed that Shawneetown was laid out under the authority and at the expense of the United States, to which is annexed a most valuable district of rich land, which with the lots of Shawneetown are directed to be offered for sale, whenever the President of the United States shall so direct (for all the present settlers there are volunteers on public lands, and have made small temporary improvements, expecting when the sales commenced to become purchasers); but should congress determine to abandon the present plan, from this representation confirmed by others in this office equally strong and respectable, and authorise the surveyor general to select a better spot to lay off a town upon, the United States own lands a few miles lower down on the Ohio river, the situation of which for a town, in every point of view, could not be excelled in the Illinois territory; and the monies the sale of the lots would produce, above what the sales in the present town would, will far more than cover the loss incurred by laying out the present town of Shawnee.

In this territory there is also a very valuable saline which is directed by law to be leased in such a way, that the occupants may, while the interests of the United States are secured, produce the greatest possible quantity of salt, and furnish the inhabitants of that country with this essential necessary of life at the lowest possible price.

In the Indiana territory two land offices are established, one at Vincennes, on the Wabash, and the other at Jeffersonville, on the Ohio, embracing a vast extent of remarkably fertile lands. At the last mentioned office, the fractional sections lying around Clark's grant, which were not surveyed and ready for market when the sales first commenced, are now ready, and will be offered so soon as the state of the country will justify the measure.

The existing laws require "that all lands forfeited for non-payment, shall be offered for sale at the court house of the county in which the offices are situated," and the register and receiver at Jeffersonville represent, that the court house of their county is fifteen miles distant from their offices; that it occasions great inconvenience and derangement of their business to attend the sales at so great a distance, and urge the necessity of legislative interference for their relief.

In the state of Ohio there are six land offices established and in successful operation; one at Cincinnati, one at Chillicothe, one at Zanesville, one at Marietta, one at Steubenville, and the other at Canton. The western boundary line of the Virginia military reservation, embracing the lands between the Scioto and the Little Miami rivers in this state, has never yet been satisfactorily established. An essay has lately been made by commissioners appointed by the United States and the state of Virginia without success; a report of the commissioners on the part of the United States, with a plat of the country and explanations, was made to congress and are on their files, giving ample information on that controverted business.

In the territory of Michigan one land office has been established at Detroit. The private claims and donations to individuals had been patented soon after the organization of this office, but before they were presented to the persons by their agent who had them in possession, he was taken prisoner by the enemy, and states that the patents were wantonly destroyed: application was made here for exemplifications, but owing to the situation of the territory at that time, and the very limited means allowed to perform the complicated duties assigned us, they have not been issued. In the Mississippi territory there are three land offices established, one at Huntsville, in Madison county, one at Washington, west of Pearl river, and the other at Fort St. Stephen's, east of Pearl river. In this latter district, the register of the land office states, that a number of persons obtained certificates of pre-emptions to land to the amount in the whole of 21,930 acres of land, and that the time has elapsed wherein they were bound to complete the whole of their payments, but that they have never paid one cent therefor. These lands are therefore reverted again to the United States, most of which would now sell, but it requires an act of the legislature to authorise their sale.

In this district the whole of the rich and valuable lands ceded by the Chactaws, and lying along the Tombigbee, are

surveyed and ready for market. By the articles of agreement and cession made between the United States and the state of Georgia, on the 24th of April, 1802, the United States are bound to pay to the state of Georgia, out of the first net proceeds arising from the sales of the land ceded, after deducting the expenses incurred in surveying and incident to such sales, the sum of one million two hundred and fifty thousand dollars; only forty-six thousand three hundred and thirty-two dollars and seventy cents of which has yet been paid in arms under the act of April, 1808.

From this view of the state of the public lands, it will appear, that independent of the lands now offered for sale at the several land offices established by law, we have nearly ready to add thereto the balance of the Chactaw purchase, and the forfeited pre-emptions in the Mississippi territory, the eastern and western land districts in the state of Louisiana, the Kaskaskia and Shawneetown districts in the Illinois, and the fractions around Clark's grant in the Indiana: and so soon as the laws can be carried fully into effect, and the lands surveyed, the district north of Red river, and the lands to which the Indian title has been extinguished in the territories of Missouri and Michigan.

The commissioner of the general land office considers it his duty farther to state, that upon the organization of this office, the public business assigned to it was greatly behind. Patient industry and incessant application has done much, but the examination and auditing the quarterly accounts of the receivers of public monies present such an immense load of labour, that he is compelled to solicit additional aid in the estimates for the year 1814, for clerk hire; for by a decision of the comptroller, as the proper law officer of the treasury department, the commissioner of the general land office is compelled to examine and audit all the accounts of the receivers of public monies as far back as the year 1801; and this immense mass of business is pressing, for some of the late receivers are indebted to the United States in large amounts, and suits cannot be commenced by the comptroller until the accounts are examined and audited.

All which is respectfully submitted by your most obedient servant,

EDWARD TIFFIN,
Commissioner of the General Land Office.

The honourable the Speaker of the
House of Representatives of the United States.

Message from the President of the United States, transmitting Copies of a Letter from the British Secretary of State for Foreign Affairs, to the Secretary of State, with the Answer of the latter.

To the Senate and House of Representatives of the United States.

I transmit for the information of congress, copies of a letter from the British secretary of state for foreign affairs, to the secretary of state, with the answer of the latter.

In appreciating the accepted proposal of the government of Great Britain, for instituting negociations for peace, congress will not fail to keep in mind, that vigorous preparations for carrying on the war can in no respect impede the progress to a favourable result; whilst a relaxation of such preparations, should the wishes of the United States for a speedy restoration of the blessings of peace be disappointed, would necessarily have the most injurious consequences.

January 6th, 1814. JAMES MADISON.

DOCUMENTS.

Lord Castlereagh to the Secretary of State.

(*Copy.*)

Sir, *Foreign Office, November 4*, 1813.

I have the honour to enclose to you, for the information of the president of the United States, copy of a note which his Britannic majesty's ambassador at the court of St. Petersburg was directed to present to the Russian government, as soon as his royal highness the prince regent was informed that plenipotentiaries had been nominated on the part of the American government for the purpose of negociating for peace with great Britain, under the mediation of his imperial majesty.

His lordship having, by the last courier from the imperial head-quarters, acquainted me that the American commissioners now at St. Petersburg, have intimated, in reply to this overture, that they had no objection to a negociation at London, and were equally desirous as the British government had declared itself to be, that this business should not be mixed with the affairs of the continent of Europe, but that their powers were limited to negociate under the mediation of Russia.

Under these circumstances, and in order to avoid an unnecessary continuance of the calamities of war, the prince regent commands me to transmit, by a flag of truce, to the American port nearest to the seat of government, the official note above-mentioned, in order that the president, if he

should feel disposed to enter upon a direct negociation for the restoration of peace between the two states, may give his directions accordingly.

In making this communication, I can assure you that the British government is willing to enter into discussion with the government of America for the conciliatory adjustment of the differences subsisting between the two states, with an earnest desire on their part to bring them to a favourable issue, upon principles of perfect reciprocity, not inconsistent with the established maxims of public law, and with the maritime rights of the British empire.

The admiral commanding the British squadron on the American station will be directed to give the necessary protection to any persons proceeding to Europe, on the part of the government of the United States, in furtherance of this overture; or, should the American government have occasion to forward orders to their commission at St. Petersburg, to give the requisite facilities, by cartel or otherwise, to the transmission of the same.

I have the honour to be, with the highest consideration, sir, your most obedient humble servant,

(Signed) CASTLEREAGH.

To the American Secretary of State, &c. &c. &c.

Translation of a Note from Lord Cathcart to the Count de Nesselrode, dated Toplitz, 1st September, 1813.

The undersigned, ambassador of his Britannic majesty to the emperor of all the Russias, desiring to avail himself of the first occasion to renew the subject respecting America, which was brought into discussion in a conference at the moment of departure from Reichenbach, has the honour to address this note to the count de Nesselrode.

Although the prince regent, for reasons which have been already made known, has not found himself in a situation to accept the mediation of his imperial majesty, for terminating the discussions with the United States of America, his royal highness desires, nevertheless, to give effect to the beneficent wishes which his imperial majesty has expressed, of seeing the war between Great Britain and America soon terminated to the mutual satisfaction of the two governments.

With this view, his royal highness having learned that the envoys plenipotentiary of the United States for negociating a peace with Great Britain, under the mediation of his imperial majesty, have arrived in Russia; notwithstanding that he finds himself under the necessity of not accepting the in-

terposition of any friendly power in the question which forms the principal object in dispute between the two states, he is, nevertheless, ready to nominate plenipotentiaries to treat directly with the American plenipotentiaries.

His royal highness sincerely wishes that the conferences of these plenipotentiaries may result in re-establishing between the two nations, the blessing and the reciprocal advantages of peace.

If, through the good offices of his imperial majesty, this proposition should be accepted, the prince regent would prefer that the conferences should be held at London, on account of the facilities which it would give to the discussions.

But, if this choice should meet with insuperable obstacles, his royal highness would consent to substitute Gothenburg, as the place nearest to England.

The undersigned, &c. &c.

(Signed) CATHCART.

A Toplitz, le 1r September, 1813.

Le soussigné ambassadeur de S. M. Britannique prés sa majesté l'empereur de toutes les Russies, desirant profiter de la première occasion pour renouveller une matière dont il a été question dans une conference au moment du depart de Reichenbach, touchant L'Amerique, a l'honneur d'adresser cette note à son excellence monsieur le compte de Nesselrode.

Quoique le prince regent, pour des raisons qui ont deja été communiquées, ne se soit pas trouvé dans le cas d'accepter la mediation de S. M. I. pour terminer les discussions avec les Etats Unis d'Amerique, S. A. R. desire neanmoins de donner effêt aux vœux bienfaisans que S. M. I. a declaré de pouvoir bientôt voir terminé la guerre entre la Grande Bretagne et l'Amerique au contentement mutuel des deux gouvernemens.

Pour cet objêt S. A. R. ayant sçu que les plenipotentiaires envoyés de la part des Etats Unis pour negocier une paix avec la Grande Bretagne sous la mediation de S. M. I. sont arrivés en Russie, non obstant qu'elle se trouve dans la necessité de ne pas accepter l'entremise d'aucune puissance amié pour la question qui fait l'objêt principale en dispute entre les deux Etats, elle est neanmoins prête à nommer des plenipotentiaires pour traiter directement avec les plenipotentiaires Americains.

Les vœux de S. A. R. sont bien sincères pour que les conferences de ces plenipotentiaires puissent reuissir à retabler

entre les deux peuples le bonheur et les avantages reciproques de la paix.

Si par les bons offices de S. M. Imperiale cette proposition seroit accepté, le prince regent prefereroit que les conferences puissent se tenir à Londres à cause des facilités qui en resulteroit pour les discussions.

Mais si se choix rencontreroit des obstacles insuperables, S. A. R. consenteroit á substituer Gothenbourg comme l'endroit le plus rapproché de l'Angleterre.

Le Soussigné, &c.

(Signed) CATHCART.

The Secretary of State to Lord Castlereagh.

My Lord, *Department of State, 5th January*, 1814.

I have had the honour to receive by a flag of truce, your lordship's letter of the 4th of November last, and a copy of a note which his Britannic majesty's ambassador at the court of St. Petersburg presented to the Russian government, on the first of September preceding.

By this communication it appears, that his royal highness the prince regent rejected the mediation offered by his imperial majesty to promote peace between the United States and Great Britain, but proposed to treat directly with the United States at Gothenburg, or London; and that he had requested the interposition of the good offices of the emperor in favour of such an arrangement.

Having laid your lordship's communication before the president, I am instructed to state, for the information of his royal highness the prince regent, that the president has seen with regret this new obstacle to the commencement of a negociation for the accommodation of differences between the United States and Great Britain. As the emperor of Russia was distinguished for his rectitude and impartiality, and was moreover engaged in a war as an ally of England, whereby it was his interest to promote peace between the United States and Great Britain, the president could not doubt that his royal highness the prince regent would accept the mediation, which his imperial majesty had offered to them. It was the confidence with which the high character of the emperor inspired the president, that inclined him, disregarding considerations which a more cautious policy might have suggested, to accept the overture with promptitude, and to send ministers to St. Petersburg to take advantage of it. It would have been very satisfactory to the president, if his royal highness the prince regent had found it compatible with the views

of Great Britain to adopt a similar measure, as much delay might have been avoided in accomplishing an object which it is admitted is of high importance to both nations.

The course proposed as a substitute for negociations at St. Petersburg, under the auspices of the emperor of Russia, could not, I must remark to your lordship, have been required for the purpose of keeping the United States unconnected, against Great Britain, with any affairs of the continent. There was nothing in the proposed mediation tending to such a result. The terms of the overture indicated the contrary. In offering to bring the parties together, not as an umpire but as a common friend, to discuss and settle their differences and respective claims, in a manner satisfactory to themselves, his imperial majesty showed the interest which he took in the welfare of both parties.

Wherever the United States may treat, they will treat with the sincere desire they have repeatedly manifested of terminating the present contest with Great Britain, on conditions of reciprocity consistent with the rights of both parties, as sovereign and independent nations, and calculated not only to establish present harmony, but to provide, as far as possible, against future collisions which might interrupt it.

Before giving an answer to the proposition communicated by your lordship to treat with the United States, independently of the Russian mediation, it would have been agreeable to the president to have heard from the plenipotentiaries of the United States sent to St. Petersburg. The offer of a mediation by one power, and the acceptance of it by another, forms a relation between them, the delicacy of which cannot but be felt. From the known character, however, of the emperor, and the benevolent views with which his mediation was offered, the president cannot doubt that he will see with satisfaction a concurrence of the United States in an alternative, which, under existing circumstances, affords the best prospect of attaining speedily what was the object of his interposition. I am accordingly instructed to make known to your lordship, for the information of his royal highness the prince regent, that the president accedes to his proposition, and will take the measures depending on him, for carrying it into effect, at Gottenburg, with as little delay as possible; it being presumed that his majesty, the king of Sweden, as the friend of both parties, will readily acquiesce in the choice of a place for their pacific negociations within his dominions.

The president is duly sensible of the attention of his royal

highness the prince regent, in giving the orders to the admiral commanding the British squadron on this coast, which your lordship has communicated.

I have the honour, &c.

(Signed) JAS. MONROE.

Message from the President of the United States, transmitting information relative to the reception of Mr. Crawford, the Minister from the United States to the Court of France by that Court, in obedience to a Resolution of the 11th instant.

To the House of Representatives of the United States.

I transmit to the House of Representatives a report of the secretary of state complying with their resolution of the 11th instant.

JAMES MADISON.

January 18th, 1814.

REPORT.

The secretary of state, to whom was referred the resolution of the House of Representatives of the 11th instant, requesting the president to communicate to the house any information in his possession, and which it may not be improper to divulge in relation to the omission or refusal of the French government to accredit the minister plenipotentiary sent by the United States to that court, or of his reception if accredited, of the time when he was so accredited, and of the progress of his negociation, has the honour to communicate to the president, for the information of the house, the following letters in relation to that subject, viz.:

A letter from Mr. Crawford to the secretary of state of the 15th August, 1813, enclosing one to the duke of Bassano of the 27th July, and his answer of the 1st August; and an extract of a letter from Mr. Crawford to the secretary of state of the 8th of September, 1813.

Respectfully submitted,

JAMES MONROE.

Department of State, January 18, 1814.

DOCUMENTS.

Mr. Crawford to Mr. Monroe.

Sir, *Paris, 15th August*, 1813.

On the 27th ult. I wrote to the Duke of Bassano, to in-

inform him of my arrival in Paris, in quality of minister plenipotentiary of the United States. On the 8th instant, I received an answer dated at Dresden on the 1st. Copies of my note and of his answer are herewith enclosed.

With sentiments of high respect, I remain yours, &c. &c.

(Signed) WM. H. CRAWFORD.

Hon. James Monroe, Secretary of State.

Mr. Crawford to the Duke of Bassano.

My Lord, *Paris, 27th July*, 1813.

I have the honour to inform your excellency that I have been appointed by the president of the United States of America, minister plenipotentiary to the court of his imperial and royal majesty, the emperor of the French, and king of Italy. I wait the pleasure of your excellency as to the time and manner of presenting my official credentials, preparatory to my reception by the government of his imperial and royal majesty as the accredited minister plenipotentiary of the United States of America.

I seize on the present occasion to assure your excellency of the distinguished consideration with which I have the honour to be your most obedient and very humble servant,

(Signed) WM. H. CRAWFORD.

His excellency the Duke of Bassano.

Translation of a Letter from the Duke of Bassano to Mr. Crawford, dated Dresden, August 1st, 1813.

Sir, I have had great pleasure in hearing of your safe arrival in France, and I have received the letter which you did me the honour to address to me on the 27th of July, on your nomination in quality of minister plenipotentiary of the United States to his imperial majesty the emperor of the French, and king of Italy. The choice which your government has made of a person so distinguished in his own country, and so worthy of this honourable mission, cannot but be agreeable to his imperial majesty; and though he is at this time absent from Dresden, I can give you this assurance in his name. I will have the honour to communicate to you his intentions respecting the presentation of your letters of credence and your reception. Without waiting even for this, I will receive all the communications which you may think proper to make to me as the minister plenipotentiary of your government, and the delay of a formality will produce no delay in the exercise of the mission confided to you, or in the correspondence which it will procure for me the benefit of holding with you.

Accept, sir, the assurance of my high consideration.
(Signed) THE DUKE OF BASSANO.
His excellency Wm. H. Crawford, &c. &c. &c.

Extract of a Letter from Mr. Crawford to Mr. Monroe, dated Paris, September 8th, 1813.

"I have just received an answer to the note which I addressed to the duke of Bassano, requesting Mrs. Barlow's passports. On the subject of recognition he says, that he is very solicitous I should present my letter of credence to the emperor in Paris. He does not repeat his invitation to communicate with him. The operations of the war will probably detain the emperor in the north [until] the winter. It is believed that the duke of Bassano will not return before him. If this opinion should be realised, the winter will be far advanced before I shall be able to draw the attention of the French government to the subjects of discussion between the two nations."

Message from the President of the United States transmitting a Report from the Secretary of State, complying with the Resolution of the House of Representatives of the 12th instant.

To the House of Representatives of the United States.

I transmit to the house of representatives a report of the secretary of state, complying with their resolution of the 12th instant. JAMES MADISON.

January 19, 1814.

REPORT.

The secretary of state, to whom was referred a resolution of the house of representatives of the 12th instant, requesting the president to lay before the house any correspondence with or communication in writing from the late minister of France, on or about the 14th June, 1809, or by his successor since, prescribing or declaring the conditions on which their sovereign would consent to treat of amity and commerce with the United States, if such information was in the possession of the executive, and if it was not, to inform the house, unless the public interest forbade such disclosure, whether there has not been such a correspondence or communication, which was withdrawn from the archives of the department of state, and if so, when, and how the same was withdrawn, has the honour to make to the president the following report:

That of the transactions which took place in the department of state, before the secretary of state came into office,

which was in the year 1811, he has no means of acquiring a knowledge other than from the archives of the department, or from the persons entrusted with their safe keeping.

That he has caused the files of the department to be carefully examined for a communication described by the resolution of the house of representatives, and that none such has been found of the date therein referred to, or of any other date from the former minister of France, or from his successor, or any trace or evidence of such a communication; that he has also enquired of the chief clerk of the department who has been in that office since the year 1807, concerning the same, and whose statement is annexed.

That no such communication was ever addressed to the secretary of state by the present minister of France.

All which is respectfully submitted.

JAMES MONROE.

Department of State, January 18, 1814.

Mr. Graham's Statement.

I know not how I can more clearly state every thing that I know relative to a letter which was recently published in some of the public prints, from general Turreau to Robert Smith, Esq. and which I suppose to be the communication alluded to in the resolution of the house of representatives of the 12th instant, than by observing that when that letter as published was shewn to me by a gentleman of this office, I told him I could not say whether it was genuine; that some parts did not appear new to me, but that other parts of it did. We immediately looked at general Turreau's file, and no such letter was there. I then observed that if it was genuine, it must be the letter from general Turreau which had been withdrawn.

The fact of one of his letters, which I had translated for Mr. Smith, having been withdrawn, I distinctly remember, though I cannot speak with certainty either of its date or of its contents, more than four years having elapsed since I saw it; but I remember it was considered exceptionable, and that Mr. Smith directed me not to put it on the files, but to lay it aside. I can add too, that it was the only letter from general Turreau which to my knowledge was ever withdrawn.

This letter was withdrawn by a gentleman attached to the French legation, who called at the department of state to get it, and it was delivered to him either by Mr. Smith himself, or by me under his directions. When this was done, I cannot now recollect, nor have I any means of ascertaining, except by reference to a subsequent event which happened in

the month of November, 1809. I allude to the dismissal of Mr. Jackson. For I remember in a conversation I had with Mr. Smith respecting that occurrence at the time it took place, he observed that he supposed general Turreau would now be glad he had withdrawn his letter.

In what way the translation of this letter has got into the public prints, I know not, nor do I know when or by whom it was taken from this office.

JOHN GRAHAM,
Chief Clerk of the Department of State.

Department of State, 18th January, 1814.

Message from the President of the United States, transmitting a Report of the Secretary of State, in obedience to a Resolution of the 13th instant, "requesting the President to lay before this House such Documents relative to the Russian Mediation as in his opinion it may not be improper to communicate."

To the House of Representatives of the United States:

I transmit to the house of representatives a report of the secretary of state complying with their resolution of the 13th instant.

January 18th, 1814. JAMES MADISON.

REPORT.

The secretary of state, to whom was referred the resolution of the house of representatives of the 13th instant, requesting the president to lay before the house such documents relative to the Russian mediation, as in his opinion it may not be improper to communicate, has the honour to transmit to the president, for the information of the house, the following letters in relation to that subject, viz.:

A letter in French (with a translation) from M. Daschkoff, envoy extraordinary and minister plenipotentiary of his majesty the emperor of Russia, to the secretary of state of the 8th March, 1813, with the answer of the secretary of state of the 11th of March.

An extract of a letter from the secretary of state to Mr. Adams, minister of the United States, at St. Petersburg, of the 1st July, 1812, and four letters and extracts from Mr. Adams to the secretary of state, bearing date respectively on the 30th September, 17th October, and 11th December, 1812, and on the 26th June, 1813.

All which is respectfully submitted.

JAMES MONROE.

Department of State, January 18, 1814.

DOCUMENTS.

Mr. De Daschkoff, Envoy Extraordinary and Minister Plenipotentiary of His Imperial Majesty the Emperor of all the Russias to the Secretary of State of the United States.

(Translation.)

The undersigned envoy extraordinary and minister plenipotentiary of his majesty the emperor of all the Russias, has the honour to make known to the secretary of state of the United States of America, that he has just received orders from the emperor his master, to make the following overture to his excellency the president of the United States.

The peace of Russia with England seemed to present this immense advantage to the commerce of nearly all seafaring people, that it freed their relations from that constraint, from that continual vexation to which it had been subjected for many years without intermission. The emperor viewed with pleasure a result so conformable to all his wishes, and which appeared as not being at all doubtful. It became so, however, by the war between England and America.

The undersigned is directed to express to the president of the United States, the regret with which his imperial majesty foresees the great shackles which this new episode is about to oppose to the commercial prosperity of nations. The love of humanity and what he owes to his subjects, whose commerce has already sufficiently suffered, command him to do every thing in his power to remove the evils which this war is preparing even for those nations who will not take part in it.

His majesty, who takes pleasure in doing justice to the wisdom of the government of the United States of America, is convinced that it has done all that it could do to prevent this rupture, but that treating of it directly would take away from the negociation all semblance of impartiality. In a direct discussion every thing would tend to excite the prejudices and the asperity of the parties. To obviate this inconvenience his majesty the emperor, gratified at being able to give a proof of his friendship alike for his majesty the king of Great Britain and the United States of America, wished to offer to them his mediation, and charged the undersigned to propose it to the president of the United States.

The undersigned having the honour to communicate to the secretary of state the sentiments and the wishes of his imperial majesty begs him to make them known to the president of the United States. The emperor would feel great satis-

faction if a like disposition on the part of the government of the United States should have the effect of stopping the progress of this new war, and of extinguishing it in its origin. From the satisfactory assurances which the president of the United States has constantly given to the undersigned of the sentiments of regard and friendship on the part of the United States, and of his excellency for Russia, and particularly for the august person of his majesty, he cannot but flatter himself that he will receive an answer which shall correspond with the generous wishes of the emperor his master.

The undersigned cannot refrain from expressing on this occasion, to the secretary of state, his individual wishes for whatever may have a tendency to re-establish active relations between Russia and the United States, and to advance the prosperity of the republic.

He seizes with eagerness this occasion to renew to the secretary of state, the assurances of his highest consideration and respect.

(Signed) ANDRE DE DASCHKOFF.

Washington, 24th February (*8th March*), 1813.

The Secretary of State to Mr. Daschkoff.

(Copy)

Sir, *Department of State, March* 11, 1813.

I have had the honour to receive your note of the 8th instant, making known to the president of the United States, the disposition of his majesty the emperor of Russia, to promote peace, by his friendly mediation between the United States and Great Britain.

I am instructed by the president to assure you, that he sees in this overture, on the part of your sovereign, strong proofs of that humane and enlightened policy, which have characterized his reign. It was impossible that a war between the United States and Great Britain should not materially affect the commerce of Russia, and it was worthy the high character of a prince, distinguished by his attachment to the interests of his people, to interpose his good offices for the restoration of peace. The president sees, at the same time, in this overture, and in the circumstances attending it, a strong proof of the friendly interest which his imperial majesty takes in the welfare of the United States.

The United States, conscious that they were not the aggressors in this contest; that on the contrary, they had borne great wrongs for a series of years, before they appealed to

arms in defence of their rights, are willing and ready to lay them down as soon as Great Britain ceases to violate those rights.

The president is aware that many of the inconveniences resulting from a direct communication between the parties themselves may be avoided, by the mediation of a third power, especially one, entitled to, and possessing the entire confidence of both the belligerents. To the claim of Russia to that distinguished consideration, the president does not hesitate to express, on the part of the United States, his full acknowledgment. He recollects with much satisfaction, that during a period of great and general contention, the relations of friendship have always subsisted between the United States and Russia; and he finds in the personal qualities, and high character of the emperor Alexander, a sacred pledge for the justice and impartiality which may be expected from his interposition.

Influenced by these sentiments, the president instructs me to inform you, that he willingly accepts the mediation of your sovereign to promote peace between the United States and Great Britain. I am instructed also to state, that such arrangements will be made, without delay, as will afford to his imperial majesty the opportunity he has invited, to interpose his good offices for the accomplishment of so important an event. Of these arrangements I shall have the honour to advise you in an early communication.

I have the honour to be, &c.

(Signed) JAS. MONROE.

Extract of a Letter from the Secretary of State to John Quincy Adams, Esq. Minister Plenipotentiary of the United States at St. Petersburg.

Sir, *Department of State, July* 1, 1812.

"On the 18th ultimo a declaration of war against Great Britain passed congress; of which, of the president's message, and report of the committee of foreign relations of the house of representatives leading to it, I have the honour to transmit to you copies."

"You are too well acquainted with the causes which produced this result to require any explanation of them. As it appeared that Great Britain would not revoke her orders in council, on the just grounds on which it was claimed, but enlarged the conditions on which she professed her willingness to revoke them, there remained no honourable course for the United States to pursue short of war. On full conside-

ration of all circumstances, this measure was adopted, and the government is resolved to pursue it till its objects are accomplished, with the utmost decision and activity in its power."

"In resorting to war against Great Britain, as the United States have done, by inevitable necessity, it is their desire and hope that it may be confined to her only.

"It is seen with much regret, that the emperor of Russia is likely to be reduced to the necessity of becoming a party to the war in Europe, if he has not already become so. Should that event take place, there is no reason why the war between the United States and Great Britain should affect, in the slightest degree, the very friendly relations which now exist between the United States and Russia. It is the sincere desire of this government to preserve in their utmost extent, those relations with that power."

"With France, our affairs in many important circumstances are still unsettled; nor is there any certainty that a satisfactory settlement of them will be obtained. Should it however be the case, it is not probable that it will produce any closer connexion between the United States and that power. It is not anticipated that any event whatever will have that effect."

Extract of a Letter from Mr. Adams to the Secretary of State.

St. Petersburg, 30th September, 1812.

"On the 20th inst. I received a note from the chancellor requesting me to call upon him the next evening, which I accordingly did; he told me that he had asked to see me by the emperor's command: that having made peace and established the relations of amity and commerce with Great Britain, the emperor was much concerned and disappointed to find the whole benefit which he expected his subjects would derive commercially from that event, defeated and lost by the new war which had arisen between the United States and England: that he had thought he perceived various indications that there was on both sides a reluctance at engaging in and prosecuting this war, and it had occurred to the emperor that perhaps an amicable arrangement of the differences between the parties might be accommodated more easily and speedily by indirect than by a direct negociation: that his majesty had directed him to see me, and to inquire if I was aware of any difficulty or obstacle on the part of the government of the United States, if he should offer his mediation for the purpose of effecting a pacification. I answered that

it was obviously impossible for me to speak on this subject any otherwise than from the general knowledge which I had of the sentiments of my government; that I was so far from knowing what their ideas were with regard to the continuance of the war, that I had not to that day received any official communication of its declaration; but that I well knew it was with reluctance they had engaged in the war; that I was very sure whatever determination they might form upon the proposal of the emperor's mediation they would receive and consider it as a new evidence of his majesty's regard and friendship for the United States, and that I was not aware of any obstacle or difficulty which could occasion them to decline accepting it.

"I knew the war would affect unfavourably the interest of Russia. I knew it must be highly injurious both to the United States and England. I could see no good result as likely to arise from it to any one. The count replied, that he had considered it altogether in the same light, and so had the emperor, who was sincerely concerned at it, and who had himself conceived this idea of authorising his mediation. He thought an indirect negociation conducted here, aided by the conciliatory wishes of a friend to both parties, might smooth down difficulties which in direct discussion between the principals might be found insuperable. To a mutual friend, each party might exhibit all its claims, and all its complaints, without danger of exciting irritations or raising impediments. The part of Russia would only be to hear both sides, and to use her best endeavours to conciliate them. I observed that there was a third party to be consulted as to the proposal—the British government. The count answered, that it had already been suggested by him to the British ambassador Lord Cathcart, who had the day before despatched it by a messenger to his court. Some question occurred concerning the mode of enabling me to transmit this communication to the United States, upon which the count promised to see me again in the course of a few days. He said that he should write to Mr. Daschkoff, and instruct him to make the proposition to the government of the United States."

Mr. Adams to the Secretary of State.

Sir, *St. Petersburg, 17th October*, 1812.

I received a few days since a letter from Mr. Russell, dated at London, the 9th of September, and informing me that his mission there had closed, that he had received his pass-

ports, and that in three days from that time he should leave the city to embark at Plymouth for the United States. He adds that the British government had rejected a proposition which he had been authorised to make for a suspension of hostilities.

The evening before last I had another interview with the chancellor count Romanzoff at his request. There had been rumours in circulation here of an armistice in Canada, and of the appointment of commissioners by the president for a new negociation with Great Britain. The count asked me if I had any authentic information of these circumstances. I said I had not, that my information was altogether of a different aspect, and I told him the substance of Mr. Russell's communication. He then observed that this incident would not discourage this government from making an offer of its mediation, which he had suggested to me in a former conference. On the contrary, the failure of every new attempt at direct negociation confirmed him in the belief and hope that a mediation might be more successful; a mediation of a common friend, not only desirous from the sentiment of friendship to see the parties reconciled to each other, but having also a strong interest of his own in their reconciliation.

The count said he had his despatches for Mr. Daschkoff ready, instructing him to make the proposition in form to the American government, and he asked me whether I could indicate to him a mode of transmitting them directly to the United States. In our former conversation (reported in my letter of the 30th ultimo) I had offered to despatch one of the American vessels now at Cronstadt, if the British ambassador would furnish her a passport, or any document that would protect her from capture by British armed vessels. The count said he had made the proposal to the ambassador, who had expressed his readiness to give the document, provided the vessel and messenger should go by the way of England, a condition which the count said he had told the ambassador he could not ask me to agree to, and with which I did not think it in fact suitable to comply. There are, however, two American gentlemen here on the point of departure for the United States, and by them I shall transmit this despatch and its duplicate, together with those of the chancellor to Mr. Daschkoff.

I am, with great respect, sir, your obedient humble servant,

(Signed) JOHN QUINCY ADAMS.

Mr. Adams to the Secretary of State.

Sir, *St. Petersburg, 11th December*, 1812.

On the 4th inst. I received the duplicate of your favour of 1st July last, announcing the declaration by the congress of the United States of war against Great Britain, and enclosing printed copies of the President's proclamation founded upon it, of his previous message recommending it, of the report of the committee of foreign relations proposing it, and of the National Intelligencer of the 20th June. The original of your letter with these documents not having yet come to hand, these gave me the first official communication of the war.

I had on the 7th inst. an interview with the chancellor count Romanzoff, in which I communicated to him the substance of that part of your despatch which related to Russia, and those which concern the state of our relations with France. In the present state of the war between this country and France, I was convinced that the view of the American government's intentions with regard to that power, so explicitly and so strongly manifested in your letter, would not only be gratifying to the chancellor, but that it would be satisfactory to the emperor, and would powerfully counteract any impressions unfavourable to the United States, which the English interest here is endeavouring to excite. I therefore told the count that although I had not been instructed to make to him any official communication of the declaration of war, the dispositions of the American government towards other powers, and particularly towards Russia, on this occasion, had been distinctly suggested to me, in a manner which I felt it my duty to make known to him. That the United States, compelled by unavoidable necessity to vindicate their violated rights against Great Britain by war, were desirous that it might be confined exclusively to them and their *enemy*, and that no other power might be involved in it. That it was particularly and earnestly their wish to preserve and maintain in their fullest extent their commercial and friendly relations with Russia. That the war in which the emperor is now engaged against France, although it could not be known by the president to have been actually commenced at the time when your despatch was written, was however contemplated as more than probable, and the necessity which obliged the emperor to take a part in it was mentioned to me as a cause of regret to the American government. But it was hoped it would not in the slightest degree affect the friendly dispositions between Russia and the United States. That I was informed by you that the

principal subjects of discussion which had long been subsisting between us and France, remained unsettled. That there was no immediate prospect that there would be a satisfactory settlement of them; but that whatever the event in this respect might be, it was not the intention of the government of the United States to enter into any more intimate connexions with France. This disposition I added was expressed in terms as strong and clear as I thought language could afford. It was even observed that the government of the United States did not anticipate any event whatever that could produce that effect, and I was the more happy to find myself authorised by my government to avow this intention, as different representations of their views had been widely circulated, as well in Europe as in America.

The count received this communication with assurances of his own high satisfaction at its purport, and of his persuasion that it would prove equally satisfactory to the emperor, before whom he should lay it without delay. He said that with regard to the friendly and commercial relations with the United States, it was the emperor's fixed determination to maintain them so far as depended upon him in their fullest extent. He asked me if I had any objection to his communicating to the British government itself that part of my information to him which related to France. I said that on the contrary, as the British government had in the course of our discussions with them frequently intimated the belief that the American government was partial to France, and even actuated by French influence, I supposed that the knowledge of this frank and explicit statement, with a due consideration of the time and occasion upon which it is made, must have a tendency to remove the prejudice of the British cabinet, and, I would hope, produce on their part a disposition more inclining to conciliation.

Yesterday the count sent a note requesting me to call upon him again, which I accordingly did. He showed me the draught of a despatch to the count Lieven the Russian ambassador in England, which he had prepared to lay before the emperor for his approbation, and which related the substance of my conversation with him, particularly in regard to the intentions of the American government with reference to France; instructing count Lieven to make it known to lord Castlereagh, and to use it for the purpose of convincing the British government of the error in suspecting that of the United States of any subserviency to France, in the expectation that it would promote in the British ministry, the disposition to peace with the United States, which he (count

Lieven) knew his imperial majesty had much at heart, believing it equally for the interest of both powers and also for that of his own empire. The chancellor said that as this despatch would refer to what I had verbally stated to him in our preceding conversation, he wished before submitting to the emperor, that I should peruse it to satisfy himself that he had connectedly represented the purport of my communication to him, and he desired me, if I should find any inaccuracy or variation from what I had said to him, to point it out to him, that he might make the despatch perfectly correspond with what I had said. I did accordingly notice several particulars in which the exact purport of what I had said might be expressed with more precision. He immediately struck out the passages which I noticed in this manner from the draught, and altered them to an exact conformity with the ideas I had intended to convey. The changes were inconsiderable, and were no otherwise material than as I was desirous of the utmost accuracy in the relation of what I had said under the authority of your despatch.

This communication of the settled determination of the American government not to contract any more intimate engagements with France, will thus be made to the British ministry with my full consent. The chancellor's despatch does not say that he was authorised by me to make it. It merely relates the substance of that part of my conversation with him, and directs count Lieven to use it with a view to promote the purpose of pacification. The chancellor understands that my consent was merely my own act, without authority from you; my motive in giving it was the same with that of his instruction to count Lieven, because I believed its tendency would be to promote the spirit of pacification in the British cabinet. I told the chancellor I was aware that its effect might be different. That the very certainty that we should not seek or even accept a community of cause with their most dreaded enemy might make them more indifferent to a peace with us. But in calculating the operation of a generous purpose, even upon the mind of an inveterate enemy, I feel an irresistible impulse to the conclusion that it will be generous like itself. I asked the chancellor whether he had received an answer from England upon the proposal of the emperor's mediation. He said that without accepting or rejecting it, they had intimated the belief that it would not be acceptable in America.

I am, with great respect, sir, your very humble and obedient servant,

(Signed) JOHN QUINCY ADAMS.

Extract of a Letter from Mr. Adams to the Secretary of State, dated St. Petersburg, 26th June, 1813.

"On the 15th instant, I had an interview with the chancellor, count Romanzoff, at his request, when he informed me that he had received answers from Mr. Daschkoff to the despatches of which Mr. Harris was the bearer. That the president had accepted the emperor's offer of mediation, and that Mr. Daschkoff had sent him a copy of your answer to him, expressive of that acceptance. He then put into my hands your letter to Mr. Daschkoff of March 11, with the tenor of which he appeared to be much gratified; and which he said he should immediately transmit to the emperor. At the same time English newspapers had been received here, mentioning the appointment of Messieurs Gallatin and Bayard, but intimating strongly the determination of the British government to reject the mediation. A few days after, I received from a friend the National Intelligencer of 15th April, containing an editorial paragraph concerning the appointment of those gentlemen, which I communicated to the court on the 22d. I observed to him, that however the British government might think proper to act on this occasion, that of the United States would at least have manifested in a signal manner, at once its earnest and constant desire for a just and honourable peace, and its sense of the motives which had induced the emperor's offer. That the president could not have adopted a measure better adapted to do honour to his majesty's proposal, than by the appointment of two persons among the most distinguished of our citizens, to co-operate on the part of the United States, in accomplishing the emperor's friendly and benevolent purpose; and that if it should eventually fail of being successful, at least the true and only source of its failure would be known. That he had received, since he saw me last, despatches from count Lieven. That the British minister, in terms of much politeness, had intimated to him, that there was no sovereign whose mediation they should more readily accept than that of the emperor, but that their differences with the United States were of a nature involving principles of the internal government of the British nation, and which it was thought were not susceptible of being committed to the discussion of any mediation. The count added, that it would remain to be considered, whether after this, and after the solemn step taken by the government of the United States, it would be advisable to renew the offer to the British ministry, and give them an opportunity for a re-consideration. It was possible that further reflection

might lead to a different resolution, and he should submit the question to the emperor's determination. Different circumstances furnished other materials for deliberations."

Message from the President of the United States, transmitting a Letter from the Secretary of War, accompanied with sundry Documents; in obedience to a Resolution of the 31st of December last, requesting such Information as may tend to explain the Causes of the Failure of the Arms of the United States on the Northern Frontier.

To the House of Representatives of the United States.

I transmit to the house of representatives a report of the secretary of war, complying with their resolution of the 31st of December last.

JAMES MADISON.

January 31*st* 1814.

REPORT.

Sir, *War Department, January* 25, 1814.

In compliance with the resolution of the house of representatives of the 31st of December last, requesting such information, (not improper to be communicated) as may tend to explain the causes of the failure of the arms of the United States, on the northern frontier, I have the honour to submit the following documents, and to offer to you, sir, the assurance of the very high respect with which I am your most obedient and very humble servant,

JOHN ARMSTRONG.

The President.

Correspondence between the Secretary of War and Major General Dearborn, &c.

Note presented to the Cabinet on the 8th February, 1813, *by the Secretary of War.*

The enemy's force at Montreal and its dependencies has been stated at 16,000 effectives. It more probably does not exceed 10 or 12,000. The militia part of it may amount to one-sixth of the whole. Is it probable that we shall be able to open the campaign on lake Champlain with a force competent to meet and dislodge this army before the 15th of May? I put the question on this date, because it is not to be

doubted but that the enemy will then be reinforced, and, of course, that new relations in point of strength will be established between us. Our present regular force on both sides of lake Champlain does not exceed 2400 men. The addition made to it must necessarily consist of recruits, who, for a time, will not be better than militia; and when we consider that the recruiting service is but beginning, and that we now approach the middle of February, the conclusion is, I think, safe, that we cannot move in this direction and thus early (say 1st of May), with effect.

It then remains to choose between a course of entire inaction, because incompetent to the main attack, or one having a secondary but still an important object; such would be the reduction of that part of Upper Canada lying between the town of Prescott, on the St. Lawrence and lake Erie, including the towns of Kingston and York, and the forts George and Erie.

On this line of frontier the enemy have,

At Prescott, - - - -	300
At Kingston, - - -	600
At George and Erie, &c.	1200

Making a total (of regular troops) of 2100

Kingston and Prescott, and the destruction of the British ships at the former, would present the first object; York and the frigates said to be building there, the second; George and Erie the third.

The force to be employed on this service should not be less than 6000 effective regular troops, because in this first enterprise of a second campaign nothing must, if possible, be left to chance.

The time for giving execution to this plan is clearly indicated by the following facts:

1st, The river St. Lawrence is not open to the purposes of navigation before the 15th of May: And

2d, Lake Ontario is free from all obstruction arising from ice by the 1st day of April.

Under these circumstances we shall have six weeks for the expedition before it be possible for sir George Prevost to give it any disturbance.

Should this outline be approved, the details for the service can be made and expedited in forty-eight hours.

Extract of a Letter from the Secretary at War to Major-General Dearborn, dated

War Department, February 10, 1813.

"I have the president's orders to communicate to you, as expeditiously as possible, the outline of campaign which you will immediately institute and pursue against Upper Canada:

"1st, 4000 troops will be assembled at Sackett's Harbour.

"2d, 3000 will be brought together at Buffaloe and its vicinity.

"3d, The former of these corps will be embarked and transported under convoy of the fleet to Kingston, where they will be landed. Kingston, its garrison, and the British ships wintering in the harbour of that place will be its first object. Its second object will be York, (the capital of Upper Canada,) the stores collected and the two frigates building there. Its third object, forts George and Erie, and their dependencies. In the attainment of this last, there will be a co-operation between the two corps. The composition of these will be as follows:

1st, Bloomfield's brigade, - - -	1436
2d, Chandler's ditto, - - -	1044
3d, Philadelphia detachment, - -	400
4th, Baltimore ditto, - - -	300
5th, Carlisle ditto, - - -	200
6th, Greenbush ditto, - - -	400
7th, Sackett's Harbour ditto, - -	250
	4030
8th, Several corps at Buffalo under the command of colonel Porter, and the recruits belonging thereto,	3000
Total,	7030

"The time for executing the enterprise will be governed by the opening of lake Ontario, which usually takes place about the first of April.

"The adjutant-general has orders to put the more southern detachments in march as expeditiously as possible. The two brigades on lake Champlain you will move so as to give them full time to reach their place of destination by the 25th of March. The route by Elizabeth will, I think, be the shortest and best. They will be replaced by some new-raised regiments from the east.

"You will put into your movements as much privacy as may be compatible with their execution. They may be masked by reports that Sackett's Harbour is in danger, and that the principal effort will be made on the Niagara in co-operation with general Harrison. As the route to Sackett's Harbour and to Niagara is for a considerable distance the same, it may be well to intimate, even in orders, that the latter is the destination of the two brigades now at lake Champlain."

Sir, *Albany, February* 18, 1813.

Your despatches of the 10th were received last evening. Nothing shall be omitted on my part in endeavouring to carry into effect the expedition proposed.

I fear the very large magazines of provisions on lake Champlain will be unsafe, unless a considerable part is removed at some distance from the store, or a considerable force is assembled at Burlington and its vicinity by the time the two brigades shall move. Another motive for having a large force on that lake, will be, that of preventing the enemy from sending almost his whole force from Lower Canada to Kingston, as soon as our intentions shall be so far known as to afford satisfactory evidence of our intentions in relation to the conquest of Upper Canada; and unless an imposing force shall menace Lower Canada, the enemy's whole force may be concentrated in Upper Canada, and require as large a force to operate against them as would be necessary to operate towards Montreal. It may be advisable to draw out a body of New Hampshire militia to serve for a short time in Vermont. You will judge of the expediency of such a measure; but I do not believe that there will be a sufficient body of new-raised troops in season for taking the place of the two brigades.

I this day received a letter from colonel Porter, in which he informs me that general Winchester had arrived at Niagara, with such of his troops as had escaped the tomahawk, and that they were crossing over on parole; he states, that at the close of the action, every man who by wounds or other causes were unable to march, were indiscriminately put to death. Such outrageous conduct will require serious attention, especially when British troops are concerned in the action.

I am, sir, your obedient servant,

H. DEARBORN.

Honourable John Armstrong, Secretary of War.

Sir, *War Department, February* 24, 1813.

Before I left New York, and till very recently since my arrival here, I was informed, through various channels, that a winter or spring attack upon Kingston was not practicable, on account of the snow, which generally lays to the depth of two, and sometimes of three feet, over all that northern region during those seasons. Hence it is, that in the plan recently communicated, it was thought safest and best to make the attack by a combination of naval and military means, and to approach our object, not by directly crossing the St. Lawrence on the ice, but by setting out from Sackett's Harbour, in concert with, and under convoy of the fleet. Later information differs from that on which this plan was founded; and the fortunate issue of major Forsyth's last expedition shews, that small enterprises at least, may be successfully executed at the present season. The advices given in your letter of the instant, has a bearing also on the same point and to the same effect. If the enemy be really weak at Kingston, and approachable by land and ice, Pike (who will be a brigadier in a day or two) may be put into motion from lake Champlain, by the Chateaugay route (in sleighs), and with the two brigades, cross the St. Lawrence where it may be thought best, destroy the armed ships, and seize and hold Kingston until you can join him with the other corps destined for the future objects of the expedition; and if pressed by Prevost, before such junction can be effected, he may withdraw himself to Sackett's Harbour, or other place of security on our side of the line. This would be much the shorter road to the object, and perhaps the safer one, as the St. Lawrence is now every where well bridged, and offers no obstruction to either attack or retreat. Such a movement will, no doubt, be soon known to Prevost, and cannot but disquiet him. The dilemma it presents, will be serious. Either he must give up his western posts, or, to save them, he must carry himself in force, and promptly, to Upper Canada. In the latter case, he will be embarrassed for subsistence. His convoys of provision will be open to our attacks, on a line of nearly one hundred miles, and his position at Montreal much weakened. Another decided advantage will be, to let us into the secret of his real strength. If he be able to make heavy detachments to cover, or to recover Kingston, and to protect his supplies, and after all maintain himself at Montreal and on lake Champlain, he is stronger than I imagined, or than any well authenticated reports make him to be.

With regard to our magazines, my belief is, that we have

nothing to fear; because, as stated above, Prevost's attention must be given to the western posts and to our movements against them. He will not dare to advance southwardly while a heavy corps is operating on his flank and menacing his line of communication. But on the other supposition, they (the magazines) may be easily secured; 1st, by taking them to Willsborough; or 2d, to Burlington; or 3d, by a militia call, to protect them where they are. Orders are given for the march of the eastern volunteers, excepting Ulmer's regiment and two companies of axe men, sent to open the route to the Chaudiere.

The southern detachments will be much stronger than I had supposed. That from Philadelphia will mount up nearly to 1000 effectives.

With great respect, dear general, I am yours, faithfully,

JOHN ARMSTRONG.

General Dearborn.

Sir, *Head-Quarters, Albany, February* 25, 1813.

I this day received by express from colonel Macomb, the inclosed account from major Forsyth. His known zeal for a small partizan warfare, has induced me to give him repeated caution against such measures, on his part, as would probably produce such retaliating strokes as he would be unable to resist; but I fear my advice has not been as fully attended to as could have been wished. He is an excellent officer, and under suitable circumstances would be of important service.

I have requested the governor to order general Brown out with three or four hundred of such militia as he can soonest assemble, to join Forsyth; and I have ordered colonel Pike, with four hundred of his command, to proceed in sleighs by what is considered the shortest and best route, to the neighbourhood of Ogdensburg, or to Sackett's Harbour. On his arrival at Potsdam, or Canton, or Russel, he will be able to communicate with Brown or Forsyth, or both, and act with them, as circumstances may require.

The affair at Ogdensburg will be a fair excuse for moving troops in that direction; and by this movement it will be ascertained whether the same route will be the best in future: the distance by that route from Plattsburg to Sackett's Harbour, is but little more than one half of what it would be by the route proposed, and I am assured by a gentleman, whom I can confide in, that there will be no difficulty by that route.

Chauncey has not yet returned from New York. I am

satisfied that if he had arrived as soon as I had expected him, we might have made a stroke at Kingston on the ice, but his presence was necessary for having the aid of the seamen and the marines.

From a letter received this day from colonel Porter at Niagara, it appears that the enemy were preparing to strike at Black Rock.

I can give him no assistance.

I am sir, with respect and esteem, your obedient humble servant,

H. DEARBORN.

Hon. John Armstrong, Secretary of War.

Sir, *February* 22, 1813.

I have only time to inform you that the enemy, with a very superior force, succeeded in taking Ogdensburg this morning about nine o'clock. They had about two men to our one, exclusive of Indians. Numbers of the enemy are dead on the field. Not more than twenty of our men killed and wounded; lieutenant Beard is among the latter.

I have made a saving retreat of about eight or nine miles. I could not get all the wounded off.

We have killed two of the enemy to one of ours killed by them. We want ammunition and some provisions sent on to us, also sleighs for the wounded.

If you can send me three hundred men all shall be retaken, and Prescott too, or I will lose my life in the attempt. I shall write you more particularly to-day.

Yours, with due respect,

BENJAMIN FORSYTH,
Capt. rifle reg. commanding.

Col. Macomb, Sackett's Harbour.

Extract of a Letter from Major General Dearborn to the Secretary at War, dated
Albany, February 26, 1813.

"Having received information that sir George Prevost was moving towards Upper Canada with considerable force, but not such as can be fully relied on, I have, however, ordered 400 more of Pike's command to follow the first detachment without delay."

Sir, *Head-Quarters, Sackett's Harbour, March* 3, 1813.

Having been informed that sir George Prevost had adjourned the legislature at Quebec, assigning as the motive

that his majesty's service required his presence in Upper Canada, and having received certain information of his passing Montreal and having arrived at Kingston, I set out immediately for this place, having ordered the force at Greenbush, and part of colonel Pike's command, in sleighs, for this place. I arrived here in fifty-two hours. I am now satisfied, from such information as is entitled to full credit, that a force has been collected from Quebec, Montreal, and Upper Canada, of from six to eight thousand men, at Kingston, and that we may expect an attack within forty-eight hours and perhaps sooner.

The militia have been called in, and every effort will, I trust, be made to defend the post; but, I fear neither the troops from Greenbush nor Plattsburg will arrive in season to afford their aid. I have sent expresses to have them hurried on.

Commodore Chauncey has not arrived; he will be here to-morrow. The armed vessels have not been placed in the positions intended by the commodore.

Our total force may be estimated at nearly three thousand of all descriptions.

Sir George Prevost is represented to be determined to effect his object at all events, and will undoubtedly make every effort in his power for the purpose.

We shall, I trust, give him a warm reception; but, if his force is such as is expected, and should make an attack before our troops arrive from Greenbush and Plattsburg at Sackett's Harbour, the result may at least be doubtful.

I have the honour, sir, to be, with the highest respect and consideration, your obedient humble servant,

H. DEARBORN.

Hon. John Armstrong, Secretary of War.

Sir, *Sackett's Harbour, March* 9, 1813.

I have not yet had the honour of a visit from sir George Prevost. His whole force is concentrated at Kingston, probably amounting to six or seven thousand; about three thousand of them regular troops. The ice is good, and we expect him every day, and every measure for preventing a surprise is in constant activity. The troops from Greenbush (upwards of 400) have arrived. I have heard nothing from Pike: he should have been here yesterday. I have sent three expresses to meet him; neither has returned. I have suspicions of the express employed by the quarter-master-general to convey the orders to Pike: the earliest measures were taken for

conveying a duplicate of his orders. I hope to hear from him to-day. His arrival with eight hundred good troops would be very important at this time. The enemy are apprised of his movement.

I begin to entertain some doubts whether sir George will venture to attack us; but shall not relax in being prepared to give him a decent reception.

I should feel easier if Pike should arrive in season. I am in want of officers of experience. My whole force, exclusive of seamen and marines, who will be confined to the vessels and have no share in the action until my force shall be worsted, amounts to nearly 3300, exclusive of 450 militia at Brownville, and on the road leading from Kingston by land. Within two or three days I may have 300 more militia from Rome and Utica.

The ice will not probably be passable more than from six to ten days longer; it is not usually passable after the 15th of March. This unexpected movement of the enemy will effectually oppose the movements contemplated on our part, and I shall not think it advisable to order general Chandler to move at present. As soon as the fall of this place shall be decided, we shall be able to determine on other measures. If we hold this place we will command the lake, and be able to act in concert with the troops at Niagara, while Chandler's brigade, with such other troops as may assemble in Vermont, may induce a return of a considerable part of those troops that have left Lower Canada.

When I ordered Pike to move I directed general Chandler to have the provision at Plattsburg moved to Burlington. There was but a small proportion of our magazines at Plattsburg; they are principally at Burlington and White Hall.

Yours, with respect and esteem,

H. DEARBORN.

Hon. John Armstrong.

Extract of a Letter from Major-General Dearborn to the Secretary at War, dated

March 14, 1813.

"From the most recent and probable information I have obtained, I am induced to believe that sir George Prevost has concluded that it is too late to attack this place. He undoubtedly meditated a coup-de-main against the shipping here. All the apprehension is now at Kingston. Sir George has visited York and Niagara, and returned to Montreal. Several bodies of troops have lately passed up from Montreal;

but such precautions have been taken to prevent their number being ascertained, as to render it impossible to form any accurate opinion of their forces, or even to imagine very nearly what they amount to. From various sources I am perfectly satisfied, that they are not in sufficient force to venture an attack on this place, knowing as they do that we have collected a fine body of troops from Greenbush and Plattsburg, and that the militia have been called in. We are probably just strong enough on each side to defend; but not in sufficient force to hazard an offensive movement. The difference of attacking and being attacked, as it regards the contiguous posts of Kingston and Sackett's Harbour, cannot be estimated at less than three or four thousand men, arising from the circumstance of militia acting merely on the defensive. I have ordered general Chandler, with the 9th, 21st, and 25th regiments, to march for this place; Clark's regiment and a company of artillery to be left at Burlington for the present, where the regiment will be filled in a few weeks. I have ordered the recruits for the three regiments that will march for this place to be sent to Greenbush, and colonel Larned is ordered there to receive them with Backus's dismounted dragoons and other detachments from Pittsfield."

Extract of a Letter from Major-General Dearborn to the Secretary at War, dated
Sackett's Harbour, March 16th, 1813.

"It was yesterday unanimously determined in a council of the principal officers, including commodore Chauncey, that we ought not, under existing circumstances, to make an attempt on Kingston, before the naval force can act. The harbours in this lake will not probably be open so as to admit of the vessels being moved until about the 15th of April."

Extract of a Letter from Major-General Dearborn to the Secretary at War, without date; proposing to pass by Kingston, and attack York, &c.

"To take or destroy the armed vessels at York, will give us the complete command of the lake. Commodore Chauncey can take with him ten or twelve hundred troops, to be commanded by Pike; take York, from thence proceed to Niagara, and attack fort George by land and water, while the troops at Buffalo cross over and carry forts Erie and Chippewa, and join those at fort George; and then collect our whole force for an attack on Kingston. After the most mature deliberation, the above was considered by commo-

dore Chauncey and myself as the most certain of ultimate success."

Extract of a Letter from the Secretary at War, to Major-General Dearborn, dated

War Department, March 29, 1813.

"Your despatches of the 11th and 14th instant, from Sackett's Harbour, and one of the 22d from Albany, have been received. The correspondence between you and major Murray, in relation to an exchange of prisoners, has been referred to the department of state. The alteration in the plan of campaign, so as to make Kingston the last object, instead of making it the first, would appear to be necessary, or at leastpro per; but the force assigned to the attack of the upper posts, is believed to be too small.

"Accident may prevent a co-operation of the corps at Buffalo. That sent from Sackett's Harbour should have in itself the power of reducing forts George and Erie, and holding in check the militia who may be sent to support them. The ships can give little aid in the business, except merely in covering the landing. Double the number you purpose sending, would not be too many. Various considerations recommend the employment of a large and decisive force, and none, that I can think of, dissuade from it. If our first step in the campaign, and in the quarter from which most is expected, should fail, the disgrace of our arms will be complete. The public will lose all confidence in us, and we shall even cease to have any in ourselves. The party who first opens a campaign, has many advantages over his antagonist, all of which, however, are the result of his being able to carry his whole force against a part of his enemy's. Washington carried his whole force against the Hessians in New Jersey, and beating them, recovered that moral strength, that self-confidence, which he had lost by many preceding disasters. We are now in that state of prostration that he was in, after he crossed the Delaware; but, like him, we may soon get on our legs again, if we are able to give some hard blows at the opening of the campaign. In this we cannot fail, provided the force we employ against his western posts be sufficiently heavy. They must stand or fall by their own strength. They are perfectly isolated and out of the reach of reinforcements: send therefore a force that shall overwhelm them—that shall leave nothing to chance. If I had not another motive, I would carry my whole strength, merely that their first ser-

vice should be a successful one. The good effects of this will be felt throughout the campaign.

"I have hastened to give you these thoughts, under a full conviction of their usefulness; and shall only add, that there is no drawback upon this policy. When the fleet and army are gone, we have nothing at Sackett's Harbour to guard, nor will the place present an object to the enemy.

"How then would it read, that we had lost our object on the Niagara, while we had another brigade at Sackett's Harbour doing nothing?"

Extract of a Letter from Major-General Dearborn to the Secretary at War, dated

Albany, April 5, 1813.

"I have this day been honoured with your letter of the 29th ultimo. As troops cannot with safety be transported from Sackett's Harbour to York or Niagara in batteaux or flat-bottomed boats, I must depend on commodore Chauncey's armed vessels, with one or two other sloops, for the transportation of our troops, and it was considered doubtful whether more than twelve hundred men could be so conveyed, which number I considered amply sufficient for the two first objects contemplated; but as many as can be transported with safety shall be sent. The co-operation of the troops under general Lewis may be relied on. Boyd and Winder are with him, and nothing but outrageous gales of wind can prevent success.

"The troops from Maryland and Pennsylvania arrived last evening. They, with the other detachments at Greenbush, will proceed towards lake Ontario within two or three days. As soon as practicable, after sending off the troops, I shall move westward."

Sir, *War Department, April* 19, 1813.

Taking for granted that general Prevost has not been able or willing to reinforce Malden, Erie, and George, and that he has assembled at Kingston a force of six or eight thousand men (as stated by you), we must conclude that he means to hazard his more western posts, shorten his line of defence, and place his right flank on lake Ontario.

This arrangement is, no doubt, in consequence of our preparations at Sackett's Harbour. These gave him reason to fear that we meant to cut his line of communication at that point, which, so long as he has a hope of keeping the command of the lake, is one of infinite importance to his views.

The danger, however, now is, that in the event of the success of our present expedition, he may lose this hope, abandon Kingston, and concentrate his forces at Montreal.

This event is, in my opinion, so probable, as to render necessary a communication of the views of the president, in relation to the movements on your part, (which shall be subsequent to those now making) on two suppositions:

1st, That the enemy will keep his ground at Kingston; and

2d, That he will abandon that ground, and withdraw to Montreal.

On the first supposition, there is no difficulty in either selecting our object, or the means of pursuing it. We ought to destroy the communication between Kingston and Montreal, by interposing a competent force between the two, and assailing the former by a joint operation of military and naval means.

Local circumstances favour this project. A few armed boats on lake St. Francis, stops all intercourse by water; in which case, cannon, military stores, and articles of subsistence in bulk, cannot be conveyed between Montreal and Kingston.

From lake Ontario to Ogdensburg, we command the navigation of the St. Lawrence by our armed vessels, and under their protection, our army can be passed over and established on the Canada side, at the point deemed most proper for attack.

On the other supposition, that the British garrison is withdrawn from Kingston to Montreal, the old question of approaching him by lake Champlain, or by the St. Lawrence, recurs, and ought now to be settled, so that there should be no unnecessary pause in our operations at a later and more momentous period of the campaign.

The circumstances in favour of the St. Lawrence route, are these:

1st, Our force is now upon it.

2d, It furnishes a conveyance by water the whole distance.

3d, The enemy is not fortified on the St. Lawrence side, and has on it no strong out-posts, which must be forced, in order to secure our flanks and rear, while engaged in the main attack; and

4th, By approaching his flank, (as this route enables you to do) instead of his front, we compel him to change his position, in which case, he must do one of four things: either

he must occupy the north side of the river and give up the south, or he must occupy the south side and give up the north, or he must confine himself to the island and give up both sides; or lastly, he must occupy both sides, and in this case expose himself to be beaten in detail.

None of these advantages are to be found in approaching him by the other route. Our troops are not upon it; we cannot move by water; his out-posts are fortified, and must be carried by assault; his front is the only assailable point, and that is covered by the St. Lawrence; our attack must be made exactly where he wishes it to be made; all his arrangements and defences are, of course, in full operation, nor is he compelled to disturb them in the smallest degree. In a word, we must fight him on his previous dispositions and plans, and not on any of our own.

These reasons are deemed conclusive for preferring the route of the St. Lawrence, and your measures (subsequent to your present expedition) will, therefore, be conformed to this view of the subject.

I am, sir, very respectfully, your obedient servant,

JOHN ARMSTRONG.

Major-General Dearborn.

Extract of a Letter from Major General Dearborn to the Secretary at War, dated

Sackett's Harbour, April 23, 1813.

"The troops embarked yesterday. Every vessel is crowded with as many men as possible; the total number 1600, of the best men. I trust we shall sail within one or two hours. If the sails for a new vessel arrive within a day or two, and a small sloop from Oswego, which ought to have been here five days since, 150 more men will go in them. The ice did not move out until the 19th; I arrived on the 20th."

Sir, *Head-Quarters, York, Upper Canada, April* 28, 1813.

After a detention of some days, by adverse winds, we arrived here yesterday morning, and at 8 o'clock commenced landing our troops about three miles westward of the town, and one and a half from the enemy's works. The wind was high, and in an unfavourable direction for our boats, which prevented the troops landing at a clear field (the ancient site of the French fort Tarento). The unfavourable wind prevented as many of the armed vessels from taking such positions as would as effectually cover our landing as they otherwise would have done; but every thing that could be done

was effected. Our riflemen under major Forsyth first landed, under a heavy fire from Indians and other troops. General Sheaffe commanded in person. He had collected his whole force in the woods near where the wind obliged our troops to land, consisting of about 700 regulars and militia, and 100 Indians. Major Forsyth was supported, as promptly as possible, with other troops; but the contest was sharp and severe for near half an hour. The enemy was repulsed by a far less number than their own, and as soon as general Pike landed with 7 or 800 men, and the remainder of the troops were pushing for the shore, the enemy retreated to their works; and as soon as the whole of the troops had landed and formed on the clear ground intended for the first landing, they advanced through a thick wood to the open ground near the enemy's works, and after carrying one battery by assault, were moving on in columns towards the main works; when the head of the columns was within about sixty rods of the enemy, a tremendous explosion occurred from a large magazine prepared for the purpose, which discharged such immense quantities of stone as to produce a most unfortunate effect on our troops. I have not yet been able to collect the returns of our killed and wounded, but our loss by the explosion must, I fear, exceed one hundred; and among them I have to lament the loss of the brave and excellent officer brigadier-general Pike, who received such a contusion from a large stone as terminated his valuable life within a few hours. His loss will be severely felt. Previous to the explosion the enemy had retired into the town, excepting a party of regular troops, which did not retire early enough to avoid the shock; it is said that upwards of forty of them were destroyed. General Sheaffe moved off with the regular troops and left directions with the commanding officer of the militia to make the best terms he could. In the mean time, all further resistance on the part of the enemy ceased, and the outlines of a capitulation were agreed on. As soon as I was informed of general Pike's being wounded, I went on shore. I had been induced to confide the immediate command of the troops in action to general Pike, from a conviction that he fully expected it, and would be much mortified at being deprived of the honour, which he highly appreciated. Every movement was under my view. Our troops behaved with great firmness, and deserve much applause, especially those who were first engaged, under circumstances that would have tried the firmness of veterans. Our loss in the action in the morning, and in carrying the first battery,

was not great, probably about 50 killed and wounded; among them were a full proportion of officers; and although the enemy had a decided advantage in point of numbers and position at the commencement, their loss was greater than ours, particularly in officers.

It was with the greatest exertion that the small vessels of the fleet could work into the harbour against a gale of wind directly ahead; but as soon as they got in contact with the batteries a tremendous cannonade commenced from 24 and 32 pounders, and was kept up without intermission under a heavy fire from two batteries until the enemy's batteries were carried or blown up by the explosion, which undoubtedly had a powerful effect on the enemy. I am under the greatest obligations to commodore Chauncey for his able and indefatigable exertions in every possible manner that could give facility and effect to the expedition. He is equally estimable for deliberate, sound judgment, bravery and industry. The government could not have made a more fortunate selection for the important trust he holds. Unfortunately, the enemy's armed ship the "Prince Regent" left this place for Kingston four days before we arrived. A large ship on the stocks, and nearly planked up, with a large store of naval stores, were set on fire by the enemy soon after the explosion of the magazine. There are no vessels fit for use in the harbour. A considerable quantity of military stores and provisions remained. We shall not possess the means of transporting the prisoners from this place, and must of course leave them on parole. I hope we shall so far complete the necessary measures at this place in the course of this day as to be able to sail to-morrow for Niagara, by which route I send this by a small vessel, with notice to general Lewis of our approach.

I am, sir, your obedient servant,

H. DEARBORN.

Honourable John Armstrong, Secretary of War.

Sir, *Head-Quarters, Niagara, May* 3, 1813.

I arrived at this place last evening with commodore Chauncey, in his fast sailing schooner the Lady of the Lake: we left the fleet with the troops on board in York road. The wind has been so unfavourable as to render it impracticable to come to this place with any prospect of effecting a landing.

I have had a conference with generals Lewis, Boyd and Winder, at which commodore Chauncey was present. I did not find the preparations at this place as complete as could have been expected; but as soon as the wind will permit, we

shall make a descent. Commodore Chauncey has returned to the fleet, and will sail for this place as soon as he shall judge the wind favourable for crossing and landing the troops. In the mean time we shall be preparing to act in concert. General Boyd will take command of the brigade lately commanded by general Pike. We find the weather on this lake, at this season of the year, such as to render naval operations extremely tedious and uncertain, especially when we have to debark troops on the shore of the lake, where there are no harbours. Westerly winds are necessary: we have none but easterly. I have no doubt of ultimate success, unless harrassed and dispersed by the elements.

I enclose a return of the killed and wounded. You will observe the loss was very small excepting that produced by the explosion. As nearly as I have been able to ascertain, the loss of the enemy amounted from ninety to one hundred killed, two hundred wounded and upwards of three hundred prisoners. I have not been able to ascertain precisely the number of the militia put on their parole; I presume it could not be less than five hundred. There was an immense depot of naval and military stores. York was the principal depot for Niagara and Detroit; and notwithstanding the immense amount which was destroyed by them, we found more than we could bring off. General Sheaffe's baggage and papers fell into my hands. These papers are a valuable acquisition: I have not had time for a full examination of them. A scalp was found in the executive and legislative chamber, suspended near the speaker's chair, in company near the mace and other emblems of royalty. I intend sending it to you with a correct account of the facts relative to the place and situation in which it was found.

With great respect, I have the honour to be, sir, your most obedient servant,

H. DEARBORN.

Honourable John Armstrong, Secretary at War.

Sir, *Head-Quarters, Niagara, May* 13, 1813.

Commodore Chauncey with the fleet and troops arrived here on the evening of the 8th, and in the course of the night the troops were debarked in a very sickly and depressed state. A large proportion of the officers and men were sickly and debilitated. It was deemed expedient to give them time to recruit their health and spirits, and in the mean time for the fleet to return to Sackett's Harbour, and take on board one thousand additional troops;—and orders were despatched to

Utica, Rome, and Oswego, to have the troops at those places forwarded here in boats from Oswego. Backus's corps of light dragoons, about four hundred, principally dismounted, and five hundred of the 11th regiment from Burlington, have been ordered to Sackett's Harbour. These, with three hundred volunteers, and a full company of artillery, are to form a garrison at that place. Additional cannon will be mounted. General Brown of the militia has been requested to hold three or four hundred men of the immediate vicinity, in readiness to aid the garrison, in the event of any attack. My intention is to collect the main body of the troops at this place, and as soon as commodore Chauncey returns, and the forces from Oswego arrive, to commence operations in as spirited and effectual a manner as practicable. This change in the proposed system of operations, has been rendered necessary by a long series of the most unfortunate winds and weather that could have occurred at this season, and such as could not have been contemplated.

Colonel Scott reached this yesterday in boats from Oswego, with three hundred men. He was seven days wind bound in different places, and narrowly escaped the loss of his boats and men. I had expected him on the third. I had almost given him up for lost.

General Harrison is invested; and presuming on the uncertainty of events, I shall make calculation of a reinforcement to the enemy of British and Indians from Detroit. We shall be prepared for them; and I shall consider a concentration of their force rather as a fortunate circumstance than otherwise.

I observed in a former letter, that on my arrival here on the evening of the 2d, the preparations for an immediate cooperation, were not as complete as could have been expected. General Lewis was at 14 miles distance. Winder, with his command, was at Black Rock. The boats had not been transported from Schlosser; not one of the scows completed; the heavy guns and mortars not placed in the batteries; two 18 and two 12 pounders not mounted; but with all these defects we should have made an attack on the 4th or 5th, if the fleet had arrived with the troops in health, on the 3d, as was expected.

I have the honour to be, sir, most respectfully, your obedient and humble servant,

H. DEARBORN.

Hon. John Armstrong, Secretary of War.

Head-Quarters, Fort George, Upper Canada, May 27, 1813.

Sir, the light troops under the command of colonel Scott and major Forsyth landed this morning at 9 o'clock. Major general Lewis's division, with colonel Porter's command of light artillery, supported them. General Boyd's brigade landed immediately after the light troops, and general Winder and Chandler followed in quick succession. The landing was warmly and obstinately disputed by the British forces; but the coolness and intrepidity of our troops soon compelled them to give ground in every direction. General Chandler with the reserve (composed of his brigade and colonel Macomb's artillery) covered the whole. Commodore Chauncey had made the most judicious arrangements for silencing the enemy's batteries near the point of landing. The army is under the greatest obligation to that able naval commander, for his indefatigable exertions, in co-operation in all its important movements, and especially in its operations this day. Our batteries succeeded in rendering fort George untenable; and when the enemy had been beaten from his position, and found it necessary to re-enter it, after firing a few guns, and setting fire to the magazines, which soon exploded, moved off rapidly by different routes. Our light troops pursued them several miles. The troops having been under arms from one o'clock in the morning, were too much exhausted for any further pursuit. We are now in possession of fort George and its immediate dependencies; to-morrow we shall proceed further on. The behaviour of our troops, both officers and men, entitles them to the highest praise; and the difference in our loss with that of the enemy, when we consider the advantages his positions afforded him, is astonishing. We had seventeen killed and forty-five wounded. The enemy had ninety killed and one hundred and sixty wounded, of the regular troops. We have taken one hundred prisoners, exclusive of the wounded. Colonel Meyers of the 49th, was wounded and taken prisoner. Of ours only one commissioned officer was killed, lieutenant Hobart, of the light artillery. Inclosed is the report of major general Lewis.

I have the honour to be, sir, with great consideration and respect, your most obedient servant,

H. DEARBORN.

The Hon. John Armstrong, Secretary of War.

Dear Sir, *On the Field, one o'clock, 27th May*, 1813.

Fort George and its dependencies are ours. The enemy, beaten at all points, has blown up his magazines and retired.

It is impossible at this moment to say any thing of individual gallantry. There was no man who did not perform his duty in a manner which did honour to himself and his country. Scott and Forsyth's command, supported by Boyd's and Winder's brigades, sustained the brunt of the action. Our loss is trifling—perhaps not more than 20 killed, and twice that number wounded. The enemy left in the hospital one hundred and twenty-four, and I sent several on board the fleet. We have also made about one hundred prisoners of the regular forces.

I am, dear sir, most respectfully, your obedient servant,

MORGAN LEWIS.

Major-General Dearborn, Commander in Chief of the Northern Army.

Sir, *Head-Quarters, Fort George, May* 29, 1813.

General Lewis was ordered to march yesterday morning with Chandler and Winder's brigades, the light artillery, dragoons, light infantry, and riflemen, in pursuit of the enemy by the way of Queenstown. I had received satisfactory information that the enemy had made a stand on the mountain, at a place called the Beaver Dams, where he had a deposit of provisions and stores, and that he had been joined by three hundred regulars from Kingston, landed from small vessels, near the head of the lake. I had ascertained that he was calling in the militia, and had presumed that he would confide in the strength of his position and venture an action, by which an opportunity would be afforded to cut off his retreat.

I have been disappointed. Although the troops from fort Erie and Chippewa had joined the main body at the Beaver Dams, he broke up yesterday precipitately; continued his route along the mountain, and will reach the head of the lake by that route. Lieutenant-colonel Preston took possession of fort Erie and its dependencies last evening. The fort had been abandoned and the magazines blown up. I have ordered general Lewis to return without delay to this place, and if the winds favour us, we may yet cut off the enemy's retreat at York: but unfortunately we have plenty of rain but no wind; it may however change for the better in a few hours. I shall afford commodore Chauncey every facility in my power in his preparations for commanding lake Erie. He is very anxious to return to Sackett's Harbour; for until his other ship is fitted, it is not certain that he can continue in the command of lake Ontario. I was the last evening hon-

oured with your despatches of the 15th instant. I have taken measures in relation to the twenty-three prisoners who are to be put in close confinement.

I have the honour to be, sir, with high consideration and respect, your most obedient servant,

H. DEARBORN.

Hon. General John Armstrong, Secretary of War.

Extract of a Letter from Major-General Dearborn to the Secretary of War, dated
Newark, Upper Canada, June 4, 1813.

"Chandler and Winder are in pursuit of the enemy, who has halted about fifty-five miles from here. I am still very feeble and gain strength but slowly."

Sir, *Head-Quarters, Fort George, June* 6, 1813.

I have received an express from the head of the lake this evening, with the intelligence that our troops were attacked at two o'clock this morning, by the whole British force and Indians, and by some strange fatality, though our loss in numbers was small, and the enemy was completely routed and driven from the field, both brigadier-generals Chandler and Winder were taken prisoners. They had advanced to ascertain the situation of a company of artillery, where the attack commenced. General Chandler had his horse shot under him and was bruised by the fall. General Vincent, their commander, is supposed to have been killed. Colonel Clark was mortally wounded and fell into our hands, with sixty prisoners of the 49th. The command devolved on colonel Burn, who has retired to the Forty-mile Creek. If either of the general officers had remained in command, the enemy would have been pursued and cut up; or, if colonel Burn had been an officer of infantry. The loss of the enemy in killed, wounded, and prisoners, must exceed two hundred and fifty. The enemy sent in a flag next morning, with a request to bury their dead. Generals Lewis and Boyd set off immediately to join the advanced army. I never so severely felt the want of health as at present, at a time when my services might, perhaps, be most useful. I hope general Hampton will repair here as soon as possible.

With great respect, I have the honour to be, sir, your most obedient servant,

H. DEARBORN.

Hon. General John Amstrong, Secretary of War.

June 8, 1813.

There was a mistake in the arrival of the express mail. Since writing the above the enemy's fleet has passed, consisting of two large ships and four heavy schooners. I have consequently deemed it prudent to *concentrate the forces at this point.*

H. D.

Sir, *Head-Quarters, Fort George, June* 8, 1813.

I have been honoured with your letters of the 26th and 27th ult. and a duplicate of one of the 19th of April. My ill state of health renders it extremely painful to attend to the current duties; and unless my health improves soon, I fear I shall be compelled to retire to some place, where my mind may be more at ease, for a short time. Colonel Macomb proceeded with two hundred men, with the commodore, to Sackett's Harbour. Lieutenant-colonel Ripley has also gone, by the way of Oswego, to the Harbour, with his regiment, where he will be joined by several hundred recruits. He took charge of the provisions to Oswego. The commodore will not probably venture out until his new ship is fit for sea. The enemy has now the command of the lake, and as long as that is the case, any offensive operations below this must be suspended. I had intended placing a small garrison at fort Erie, and a stronger one at fort George; but as you have directed otherwise, I shall select fort George as guarding the only harbour on the southern shore of the lake. Detroit will be the safest harbour on lake Erie. I have by the request of commodore Chauncey, detached 200 men to aid captain Perry in removing his armed vessels from Black Rock to Presque isle. Commodore Chauncey is unwilling to approach Malden, unless he can have a reinforcement to general Harrison, of our regulars. As my command does not extend to Malden, I ask your directions on this subject. The commodore is anxious that his fleet on lake Erie should proceed with troops to Michilimackinac and St. Joseph, as soon as the business shall be decided at Detroit. On taking possession of this place the inhabitants came in, in numbers, and gave their paroles. I have promised them protection. A large majority are friendly to the United States, and fixed in their hatred against the government of Great Britain. If they should generally be made prisoners of war, and taken from their families, it would have a most unfavourable effect on our military operations in the provinces. The whole country would be driven to a state of desperation, and satisfy them,

beyond a doubt, that we had no intention of holding the provinces. The same effect would be produced on the Indians, who are now principally quiet, for fear of losing their valuable tract of land on Grand river. I had authorized the civil magistrates to combine in the due exercise of their functions, and cannot, with propriety, revoke this authority unless specially directed.

The whole of our troops, officers and men, in the action of the 27th, discovered a degree of ardour and readiness for action, which evinced a determination to do honour to themselves and country. The animating example set by colonel Scott and general Boyd, in landing and repulsing the enemy, deserves particular mention. I am greatly indebted to colonel Porter, major Armistead and captain Totten, for their judicious arrangements and skilful execution in demolishing the enemy's fort and batteries, and to the officers of the artillery generally, who had the direction of the guns.

I have the honour to be, with great respect, your most obedient servant,

H. DEARBORN.

Hon. General John Armstrong, Secretary of War.

Extract of a Letter from Major General Morgan Lewis, to the Secretary of War, dated

Niagara, June 14, 1813.

"You will perceive by the enclosed copy of orders, marked 1, that general Dearborn from indisposition, has resigned the command, not only of the Niagara army, but of the district. I have doubts whether he will ever again be fit for service. He has been repeatedly in a state of convalescence; but relapses on the least agitation of mind.

"In my last, I mentioned the unfortunate circumstance of our two brigadiers, Chandler and Winder. The particulars are detailed in the report of colonel Burn, marked 2, which he gives from the best information he could collect. His corps lay a considerable distance from the scene of active operation, as you will perceive by the enclosed diagram. The light corps spoken of, were captain Hindman's, Nicholas's, and Biddle's companies of the 2d artillery, serving as infantry. These three gentlemen, and captain Archer and Towson of the same regiment, and Leonard of the light artillery, are soldiers who would honour any service. Their gallantry, and that of their companies, was equally conspicuous on this occasion, as in the affair of the 27th ult. A view of general Chandler's encampment will be sufficient to show,

that his disaster was owing to its arrangement: its centre being its weakest point, and that being discovered by the enemy in the evening, received the combined attack of his whole force, and his line was completely cut. It is said, though I cannot vouch for its truth, that general Winder saw this, and remonstrated against it. The gallantry of the 5th, 25th, and part of the 23d and light troops, saved the army: of the 5th, it is said, that when the day broke, not a man was missing; and that a part of the 23d, under major Armstrong, was found sustaining its left flank. Their fire was irresistible, and the enemy was compelled to give way. *Could he have been pressed the next morning, his destruction was inevitable.* He was dispersed in every direction, and even his commanding general was missing without his hat or horse. I understand he was found the next evening almost famished, at a distance of four miles from the scene of action.

" Lieutenant M'Chesney's gallantry recovered a piece of artillery and prevented the capture of others. He merits promotion for it.

" On the evening of the 6th of June, I received the order, No 4, and joined the army at five in the afternoon of the 7th. I found it at the Forty-mile Creek, ten miles in the rear of the ground, on which it had been attacked, encamped on a plain, of about a mile in width, with its right flank on the lake, and its left on the creek, which skirts the base of a perpendicular mountain of considerable height. On my route, I received No. 5 and 6, enclosed.

" At 6 in the evening the hostile fleet hove in sight, though its character could not be ascertained with precision. We lay on our arms all night. At dawn of day struck our tents, and descried the hostile squadron abreast of us about a mile from the shore. Our boats which transported the principal part of our baggage and camp equipage, lay on the beach; it was a dead calm; and about six, the enemy towed in a large schooner, which opened her fire on our boats. As soon as she stood for the shore, her object being evident, I ordered down Archer's and Towson's companies with four pieces of artillery, to resist her attempts. I at the same time sent captain Totten, of the engineers (a most valuable officer), to construct a temporary furnace for heating shot, which was prepared and in operation in less than thirty minutes. Her fire was returned with a vivacity and effect (excelled by no artillery in the universe) which soon compelled her to retire. A party of savages now made their appearance on the brow of the mountain (which being perfectly bald, exhibited them

to view) and commenced a fire on our camp. I ordered colonel Chrystie to dislodge them, who entered on the service with alacrity, but found himself anticipated by lieutenant Eldridge, the adjutant of the regiment, who, with a promptness and gallantry highly honourable to that young officer, had already gained the summit of the mountain with a party of volunteers, and routed the barbarian allies of the defender of the Christian faith. This young man merits the notice of government.

"These little affairs cost us not a man. Sir James L. Yeo being disappointed of a tragedy, next determined, in true dramatic style, to amuse us with a farce. An officer with a flag was sent to me from his ship, advising me, that as I was invested with savages in my rear, a fleet in my front, and a powerful army on my flank, he, and the officers commanding his Britannic majesty's land forces, thought it a duty to demand a surrender of my army. I answered that the message was too ridiculous to merit a reply. No. 7 was delivered to me at about 6 this morning. Between 7 and 8 o'clock, the few waggons we had being loaded, first with sick, and next with ammunition, &c. the residue of camp equipage and baggage was put in the boats, and a detachment of two hundred men of the 6th regiment detailed to proceed in them. Orders were prepared to be given them to defend the boats, and if assailed by any of the enemy's small vessels, to carry them by boarding. By some irregularity, which I have not been able to discover, the boats put off without the detachments, induced probably by the stillness of the morning. When they had progressed about three miles, a breeze sprung up, and an armed schooner overhauled them. Those who were enterprising kept on and escaped; others ran to the shore and deserted their boats. We lost twelve of the number, principally containing the baggage of the officers and men.

"At ten I put the army in motion on our return to this place. The savages and incorporated militia hung on our flanks and rear throughout the march, and picked up a few stragglers. On our retiring the British army advanced, and now occupies the ground we left."

Papers referred to by General Lewis.

Dear General, *Head-Quarters, Niagara, June* 6, 1813.

You will please to proceed, with as little delay as may be, and take command of the advanced army. Brigadier-generals Boyd and Swartwout, and colonel Scott, will accompany

you. I have ordered an additional escort of light artillery to be equipped as cavalry to attend you. You will attack the enemy as soon as practicable; your force will ensure success; every possible effort should be made for preventing the enemy's escape.

May success and glory attend you.

Yours with esteem,

H. DEARBORN.

Major General Lewis.

Dear General, *Niagara, June* 6, 1813.

A ship having appeared this morning steering towards the head of the lake, which is undoubtedly one of the enemy's ships; others are appearing; you will please to return with the troops to this place as soon as possible.

Yours with esteem,

H. DEARBORN.

P. S. The object of the enemy's fleet must be intended to cover the retreat of their troops or to bring on a reinforcement. H. D.

Major General Lewis.

June 6, 1813.

It is possible the fleet in sight may be our own; a few hours will probably enable you to determine and act accordingly.

General Lewis. H. DEARBORN.

Dear General,

I am induced to suspect that the enemy's fleet have an intention on this place. Two small schooners have been examining the shore very minutely for three or four hours this afternoon. They have gone on towards the head of the lake, and their ships appear to have taken the same course; they may take on board additional troops near the head of the lake and be here before you reach this place. You will please to send Milton's detachment and 500 of Chandler's brigade, and colonel Burn's light dragoons with all possible despatch; they ought, if possible, to be here some time tomorrow forenoon. You will follow with the remainder of the troops as soon as practicable. It will be necessary to take care that your boats are not taken or lost. General Swartwout and colonel Scott should return as soon as they can. Yours with esteem,

General Lewis. H. DEARBORN.

ORDERS.

Adjutant-General's Office, Head-Quarters,
Fort George, June 10, 1813.

By reason of the temporary indisposition of major-general Dearborn, the command of the troops on this frontier and of the ninth military department of the United States, devolves on major-general Lewis. All persons concerned are notified accordingly.

By command,

W. SCOTT, *Adjutant-General.*

Extract of a Letter from Colonel James Burn, 2d Light Dragoons, to Major-General Dearborn.

" In the afternoon of the 5th our advance-guard, consisting of the light infantry, under the command of captains Hindman, Biddle, and Nicholas, a part of the rifle corps under captain Lytle, and a detachment of the 2d dragoons, under captain Selden, commenced a sharp skirmish with the advance of the enemy, said to be a detachment of the 49th regiment, which soon retreated, covered by a thick wood, having, however, several wounded, on both sides, and one dragoon horse killed. In the evening our advance returned behind Stony Creek, where the army took a position for the night. The light infantry, and part of the rifle corps on the right of the 25th regiment, formed the right wing. The artillery, under captains Towson and L. Leonard, the centre. The 5th, 16th, 23d, and some riflemen, the left wing, and the cavalry in the rear. A strong picket guard was posted some distance in front, also strong flank and rear guards in such manner as to surround the whole encampment with sentinels—the troops lay under arms without any covering. Our numbers in the field did not exceed one thousand. Three hundred effectives of the 13th and 14th regiments having encamped on the borders of the lake, about three miles distant, for the protection of the boats. The enemy forced our picket and attacked us about two o'clock in the morning (which was very dark) with their army and Indians, expecting, no doubt, to throw us into confusion. Their views were, in this instance however, completely frustrated, and when the day dawned, none were to be seen except their killed and wounded, who covered the field of battle. The attack began on our right, and was gallantly repelled by the fire of the light troops and 25th regiment, commanded by major Smith. In a few minutes it became general along the whole line, and was nobly returned by the artillery of the centre, commanded by captains Tow-

son and L. Leonard, and again by the troops of the left wing, viz. the 5th, under lieutenant-colonel Milton, the 23d, commanded by major Armstrong, and the 16th. The fire continued with little intermission for one hour, during which time the enemy attempted by frequent charges to break our line, but without effect, being obliged to give way by the well directed fire of our brave troops.

The 13th and 14th regiments (which had been detached the preceding evening) were active in making prisoners, and advanced with much ardour to the field in hopes of sharing with the gallant 5th and 25th, 23d and light troops, the glory of another combat. But the unfortunate capture of brigadier-generals Chandler and Winder, who were taken in the action unknown to any part of the army, and hurried into the enemy's lines, prevented the future operations from being carried into effect with the promptitude which would assuredly have taken place had either of those officers been present to command.

You will be surprised to find our loss so small—that of the enemy exceeds ours much; they lost in killed about sixty, many wounded, and upwards of seventy prisoners, all regulars, and principally of the 49th regiment. Several of their officers were killed, wounded, and missing. A flag was sent by colonel Hervey, asking permission to make enquiries for them; also to be allowed to send a surgeon to attend their own wounded, which I readily granted. On the return of day-light I found the command of the army had devolved on me, and being at a loss what steps to pursue in the unpleasant dilemma, occasioned by the capture of our generals; finding the ammunition of many of the troops nearly expended, I had recourse to a council of the field officers present, of whom a majority coincided in opinion with me that we ought to retire to our former position at the Forty-mile Creek, where we could be supplied with ammunition and provisions, and either advance or remain until further orders.

Every aid was afforded by the staff. The assistant adjutant-general major Johnson, and brigade majors Jones and Wartenby exerted themselves in rendering all the assistance in their power.

The army on this occasion has proved its firmness and bravery, by keeping its position in a night attack, in which the yells of the Indians mingled with the roaring of cannon and musketry were calculated to intimidate. The enemy charged repeatedly, and so dark was the night that our army could not distinguish friend from foe; in one of those they

succeeded in carrying off a six-pounder, a howitzer, and a caisson, to the great mortification of our brave artillery. I presume it was on that occasion also that we lost our generals, who were distinctly heard encouraging our men to fight. The squadron of dragoons remained formed and steady at their post, but could not act on account of the darkness of the night and the thickness of the adjacent woods. Much credit is due to the troops generally, but too much praise cannot be said of the conduct of the 5th and 25th regiments."

Sir, *Montreal, June* 18, 1813.

I deem it my duty to improve the earliest opportunity possible, to give you a more detailed account of the affair of the 6th instant, near Stony Creek, than I have before had it in my power to do.

On the morning of the 5th I arrived at Forty-mile Creek. The detachment under general Winder was then under marching orders for Stony Creek. After a short halt the whole marched for that place, and arrived there between five and six o'clock, P. M., at which place a small picket of the enemy was posted, but retired on our approach. The advanced guard pursued, and soon fell in with a picket of about 100 strong, under colonel Williams. A skirmish ensued. I hastened the main body. Williams retreated, and our advance pursued. The pursuit was continued rather longer than I could have wished, but returned to their proper position in the line of march not far from sun set. I had ordered the 13th and 14th, who were in the rear, to take position for the night near the mouth of the creek, to cover the boats (should they arrive), which would be on the route which I intended to pursue the next morning, and a favourable position presenting itself, I encamped with the residue of the troops (except captain Archer's company of artillery, which accompanied the 13th and 14th on the spot where we had halted, with an advanced picket from half to three quarters of a mile in front, with express orders for them to keep out constantly a patrole. A right and left flank guard and a rear guard were also posted. I gave positive orders for the troops to lay on their arms. Contrary to my orders fires were kindled: but there are doubts whether this operated for or against us, as the fires of the 25th, which were in front, and by my orders had been abandoned, enabled to see a small part of the enemy, while the fires on our left enabled the enemy to see our line. On the whole I think it operated against us. I did expect the enemy would attack us that night, if he intended

to fight; but perhaps this was not expected by all. I had my horse confined near me, and directed that the harness should not be taken from the artillery horses. I directed where and how the line should be formed, in case of attack. About an hour before day-light, on the morning of the 6th, the alarm was given. I was instantly up, and the 25th, which lay near me, was almost as instantly formed, as well as the 5th and 23d, which was on the left, under the immediate eye of general Winder. Owing to the neglect of the front picket, or some other cause, the British officers say, that they were not hailed, or an alarm given, until they were within three hundred yards of our line. The extreme darkness prevented us from seeing or knowing at what point they intended to attack us, until an attack was made on our right. A well directed fire was opened upon them from the 25th and from nearly the whole line. After a few minutes I heard several muskets in our rear, in the direction of the rear guard, and then expected that the enemy had gained our rear by some path unknown to me, and were about to attack us in rear. I instantly ordered colonel Milton, with the 5th, to form in our rear near the woods to meet such circumstances as might take place, knowing that I could call him to any other point, if necessary, at any moment. I had observed, that the artillery was not covered, and directed general Winder to cause the 23d to be formed so far to the right, that their right should cover the artillery. At this moment I heard a new burst of fire from the enemy's left on our right, and not able to see any thing which took place, I set out full speed towards the right, to take measures to prevent my right flank from being turned, which I expected was the object of the enemy. I had proceeded but a few yards, before my horse fell under me, by which fall I received a serious injury. Here was a time when I have no recollection of what passed, but I presume it was not long. As soon as I recovered, I recollected what my object was, and made my way to the right, and gave major Smith such directions as I thought proper, to prevent his right from being turned by surprise. I was then returning toward the centre, and when near the artillery, heard men, who, by the noise, appeared to be in confusion, it being the point at which I expected the 23d to be formed. I expected it was that regiment. I approached them, and as soon as I was near enough, I saw a body of men, who I thought to be the 23d, in the rear of the artillery, broken. I hobbled in amongst them, and began to rally them, and directed them to form; but I soon found my mistake; it was the British

49th, who had pushed forward to the head of their column and gained the rear of the artillery. I was immediately disarmed and conveyed down the column to its rear. It was not yet day, and the extreme darkness of the night, to which was added the smoke of the fire. put it totally out of our power to see the situation of the enemy. This was all that saved their columns from sure and total destruction, of which some of their officers are aware. After seeing the situation of the column as I passed, I did hope and expect that general Winder, on the first dawn of light, would see their situation, and bring colonel Milton with the 5th (who I had still kept in reserve until I could have day-light to discern their situation), to attack this column, which, I am sure, he would have done to advantage; but, to my mortification, I soon learned that he had fallen into the same mistake with myself; and by endeavouring to learn what was taking place in the centre, he was also taken, as well as major Van De Venter. To the extreme darkness of the night, the enemy's knowledge of his intended point of attack, and our not knowing at what point to expect him, must be attributed his partial success, and not to a want of strength or bravery in our troops, who, generally, behaved remarkably well under all the circumstances; and however unfortunate the event, as it relates to myself, I only ask that all the circumstances may be taken into consideration, in making up your opinion upon the conduct of general Winder and myself in this affair, which I am sure you will do, and I flatter myself you will see no cause of censure. I regret that my decrepid situation, and the rapidity with which we have been brought to this place, has put it out of my power to give you a detailed account of the affair earlier. I am now able to walk some with the aid of a cane, and hope I shall continue to recover.

I have the honour to be, &c. &c.

JOHN CHANDLER,

Major-General Dearborn. *Brigadier General.*

Sir, *Head-Quarters, Fort George, June 12th.*

As the general is unable to write, I am directed by him to inform you, that in addition to the debility and fever he has been afflicted with, he has within the last twenty-four hours experienced a violent spasmodic attack on his breast, which has obliged him to relinquish business altogether, and the command is given over to major-general Lewis, who will in future make the necessary communications to the de-

partment of war. The British fleet still rides triumphant in this section of the lake.

I have the honour to be, sir, with great respect and consideration, your obedient and humble servant,

SAMUEL S. CONNER,
A. D. C. to General Dearborn.

Hon. General John Armstrong, Secretary of War.

Extract of a Letter from the Secretary at War, to Major-General Dearborn, dated
War Department, June 19, 1813.

"Your letters of the 6th and 8th instant have been received. There is, indeed, some strange fatality attending our efforts. I cannot disguise from you the surprise occasioned by the *two escapes of a beaten enemy;* first on the 27th ultimo, and again on the 1st instant. Battles are not gained when an inferior and broken enemy is not destroyed. Nothing is done, while any thing that might have been done, is omitted. This maxim is as old as the profession of arms, and in no walk of life applies with as much force as in that of a soldier.

"Should Proctor have retired from Malden, and been able to effect a junction with Vincent's corps at the head of the lake, it has been done for one of two purposes; either to dispute with you the possession of the peninsula, or more securely to effect their general retreat to Kingston. The latter is the more probable conjecture of the two, and is strengthened by the appearance of Yeo on the upper part of the lake, and by the position which Vincent has taken there."

Extract.

Sir, *Head-Quarters, Fort George, June* 20, 1813.

I have been so reduced in strength as to be incapable of any command. Brigadier-general Boyd is the only general officer present, and from resignations, sickness, and other contingencies, the number of regimental officers present fit for duty are far below what the service requires. A considerable proportion of our army being composed of new recruits, and the weather having been extremely unfavourable to health, the sick having become so numerous, in addition to the wounded, as to reduce the effective force far below what could have been contemplated; but if the weather should become favourable, which ought to be expected, a great part of the sick will probably be fit for duty in a short time. The enemy have been reinforced at the head of the

lake with about five hundred men of the 104th regiment. A vessel carrying ammunition and other munitions of war, bound to the head of the lake was captured four days since by one of commodore Chauncey's schooners, from which I conclude, that the enemy will endeavour to keep up such a force at or near the head of the lake, as to prevent any part of our force in this quarter from joining or proceeding to Sackett's Harbour for the purpose of attacking Kingston; and such is the state of the roads in this flat country, in consequence of continual rains, as to render any operations against the enemy extremely difficult without the aid of a fleet for the transportation of provisions, ammunition, and other necessary supplies. The enemy would probably retreat on our approach and keep out of our reach, being covered by one or more armed vessels, which remain on this part of the lake. The whole of these embarrassments have resulted from a temporary loss of the command of the lake. The enemy has availed himself of the advantage and forwarded reinforcements and supplies."

Extract of a Letter from the Secretary at War to Major-General Dearborn, dated

War Department, July 1, 1813.

"The leisure you now have offers a fine opportunity for the adjutants and inspectors general to attend to their particular duties. Some parties of which you speak from the enemy, may practice a trick on those who follow them. *These last ought to be very circumspect.* Chauncey will, I hope, soon re-appear on the lake. A battle will then decide which of us shall be victor for the campaign. I am afraid that we have long acted on a belief, very pleasing but ill founded, viz. that we were ahead of the enemy as to naval means and naval preparation on the lakes. Are we sure that our calculations with regard to lake Erie have been better than those with regard to lake Ontario? A week or two will decide this question."

Sir, *Head-Quarters, Fort George, June* 25, 1813.

I have the mortification of informing you of an unfortunate and unaccountable event, which occurred yesterday. On the 23d, at evening, lieutenant Bœrstler with 570 men, infantry, artillery, cavalry, and riflemen, in due proportion, was ordered to march, by the way of Queenstown, to a place called the Beaver Dams, on the high ground about eight or nine miles from Queenstown, to attack and

disperse a body of the enemy collected there for the purpose of procuring provisions, and harassing those inhabitants who are considered friendly to the United States; their force was, from the most direct information, composed of one company of the 104th regiment, above 80 strong: from 150 to 200 militia, and from 50 to 60 Indians. At eight o'clock yesterday morning, when within about two miles of the Beaver Dams, our detachment was attacked from an ambuscade, but soon drove the enemy some distance into the woods, and then retired to a clear field, and sent an express for a reinforcement, saying, he would maintain his position until reinforced. A reinforcement of 300 men marched immediately under the command of colonel Chrystie, but on arriving at Queenstown, colonel Chrystie received authentic information that lieutenant-colonel Bœrstler with his command had surrendered to the enemy, and the reinforcement returned to camp. A man who belonged to a small corps of mounted volunteer riflemen, came in this morning, who states, that the enemy surrounded our detachment in the woods, and towards twelve o'clock commenced a general attack; that our troops fought more than two hours, until the artillery had expended the whole of its ammunition, and then surrendered, and at the time of the surrender the informant made his escape. Why it should have been deemed proper to remain several hours in a position surrounded with woods, without either risking a decisive action, or effecting a retreat, remains to be accounted for, as well as the project of waiting for a reinforcement from a distance of fifteen or sixteen miles.

No information has been received of the killed or wounded. The enemy's fleet has again arrived in our neighbourhood.

With respect and esteem, I am, sir, your humble servant,

H. DEARBORN.

Hon. John Armstrong, Secretary of War.

Sir, *War Department, July* 6, 1813.

I have the president's orders to express to you his decision, that you retire from the command of district No. 9, and of the troops within the same, until your health be re-established, and until farther orders.

I have the honour to be, sir, with very great respect, your most obedient and very humble servant,

JOHN ARMSTRONG.

Major-General Henry Dearborn.

Correspondence between the Secretary of War and Brigadier-General Boyd.

Extract of a Letter from the Secretary at War, to Brigadier-General Boyd, dated

War Department, July 30, 1813.

"The restriction put upon you with regard to the enemy, was but commensurate with their command of the lake. So long as they had wings and you had only feet; so long as they could be transported, supplied, and reinforced, by water and at will, common sense, as well as military principles, put you on the defensive. These circumstances changed, the reason of the rule changes with them; and it now becomes your business, in concert with the fleet, to harass and destroy the enemy, wherever you can find him. Of the competency of your force there can be no doubt, provided your estimate of his be but tolerably correct."

Sir, *War Department, July* 30, 1813.

I have this moment received information that fort Meigs is again attacked, and by a considerable regular force. This must have been drawn from De Rottenberg's corps. His late insolence in pushing his small attacks to the very outline of your works, has been intended to mask the weakness produced by this detachment. If (as you say) you can beat him, do it without delay; and remember, that if you beat, you must destroy him. There is no excuse for a general who permits a beaten enemy to escape and to rally. These remarks grow out of some recent events in your quarter, and require no explanation. It is the president's wish that you should communicate fully and freely with brigadier-general Williams. It is only by this kind of intercourse that the efforts of all can be united in promoting the public good.

I am, sir, very respectfully, your most obedient humble servant,

JOHN ARMSTRONG.

Brigadier-General Boyd, Fort George.

Extract of a Letter from Brigadier-General John P. Boyd, to the Secretary of War, dated

Head-Quarters, Fort George, July 27, 1813.

"I had the honour to address you last on the 24th instant. On the 22d instant, general Lewis and commodore Chauncey were advised by me that from intelligence received from

major Chapin and deserters, most of the enemy's captured ordnance and their principal depot of ammunition, stores, &c. are at the head of the lake. It was suggested that a small force might surprise, take, destroy, or bring them off, if part of the fleet might be allowed to assist in moving our troops.

Yesterday the Lady of the Lake brought me a letter from commodore Chauncey, stating that he approved of the enterprise and would go himself with his fleet to the head of the lake, and requested guides, information, &c. I have deemed it proper to detail a number of troops under the command of colonel Scott, which will embark on board the Lady of the Lake, with directions to join the squadron, which is believed to be now somewhere near Little York."

Extract of a Letter from Brigadier-General Boyd to the Secretary of War, dated

Fort George, July 31, 1813.

"I had the honour to address you on the 27th instant. Agreeably to the plan therein suggested, commodore Chauncey arrived here on the 28th instant, and received on board the fleet a body of men under the command of colonel Scott. Light and contrary winds retard their progress up the lake, but ere this the attack has probably been made on the head of the lake. No information has as yet been received.

"The enemy has lately kept his Indians so constantly scouring the woods of our vicinity, that we gain no deserters nor intelligence of his movements."

Colonel Scott's Report.

Sir, *Fort George, August* 3, 1813.

I have the honour to report, that in obedience to your orders I proceeded on board the fleet with the detachment of troops under my command, destined to act against the enemy's post at the head of Little lake, or Burlington bay; in sight of which place I arrived late in the evening of the 30th ultimo, the fleet having been greatly delayed by the almost constant calm which has prevailed since we sailed.

This delay of forty-eight hours, after our destination became obvious to the enemy, enabled him to anticipate our arrival by a reinforcement of 200 men from the nearest posts on this side of the lake, of which we were early apprised. Nevertheless, commodore Chauncey, with my concurrence, thought it adviseable to land the detachment from the army, together with about 250 marines and seamen from the fleet

(making a total force of about 500 men), the better to enable us to ascertain the exact force and position of the enemy's camp. The landing was made on the neck of land which nearly cuts off the Little lake from lake Ontario. From this point we could plainly discover the enemy's position on Burlington heights, surrounded on three sides by a creek, and in front by an entrenchment, and a battery of seven pieces of cannon. The little lake or bay is between those two points, six or seven miles across.

Perceiving the strength of the enemy's position, and learning from the inhabitants, that the force on the heights, independent of the reinforcement above-mentioned, was nearly equal to our own, the commodore determined not to risk an attack, especially as our boats would have been greatly annoyed in the ascent towards the head of the bay, by a small schooner of the enemy's having on board one 18 pound carronade. The channel connecting the two lakes did not afford water for the passage of either of our schooners. In the above opinion I fully concurred with the commodore. It may be added, that the enemy received a further reinforcement of 400 men the same evening by land from Kingston.

On our return to this harbour the fleet put into York, at which place we burnt the barracks and public stores, and brought off one piece of ordnance (24 pounder), eleven batteaux, and about 400 barrels of flour and hard bread. The barracks and stores had been repaired since the 27th May. Thirty or forty sick and wounded in hospital were paroled, and four prisoners (regulars) brought off. There had been no garrison at the place for the few days previous.

I have the honour to be, sir, your most obedient servant,

W. SCOTT,

Col. com. detachment.

Brigadier-General Boyd, commanding, &c. &c.

Extract of a Letter from Brigadier-General John P. Boyd to the Secretary of War, dated

Head-Quarters, Fort George, U. C. August 8, 1813.

"By Tuesday's mail I had the honour to receive your commands of the 30th ult. and yesterday a number of letters enclosed, which were delivered as directed.

"Conceiving myself at liberty to act offensively on the arrival of the fleet, an expedition was immediately concerted against the enemy, and acceded to by commodore Chauncey. One thousand was to embark on board the fleet, under the

command of brigadier-general Williams, to land at the head of the lake. The army at this place was to move in two columns against the enemy's front, while general Williams assailed his rear and cut off his retreat. Yesterday morning, the time when the troops were to have embarked, the enemy's fleet was discovered off this place.

"Commodore Chauncey weighed anchor, approached him, and, by every indication that a leeward position would admit, offered to engage."

Sir, *Head-Quarters, Fort George, August* 12, 1813.

I had the honour to address you the 8th instant. Unfavourable winds continued to thwart the wishes of commodore Chauncey to bring the enemy to action; and about the 9th instant he was so unfortunate as to lose, in a squall, two small schooners, which upset. On the night of the 10th a severe cannonade was heard on the lake, which we ascertained in the morning, resulted in the loss of two of our smallest schooners. Undiscouraged by these slight disasters, commodore Chauncey is still in pursuit of the enemy, resolved to bring him to a general engagement. These circumstances have necessarily delayed the attack upon the enemy, which was contemplated in my last letter. General Porter is assembling a body of volunteers and Indians at Buffaloe, with a view to co-operate in this enterprise. He will probably join us soon. Any thing which can be done without the co-operation of the fleet, shall be attempted. To attack the enemy, without being able to cut off his retreat, would be only beating without capturing him.

I have the honour to be, sir, with great respect, your most obedient servant,

JOHN P. BOYD,
Brigadier-General commanding.

Hon. John Armstrong, Secretary of War.

Sir, *Head-Quarters, Fort George, August* 15, 1813.

I had the honour to address you on the 12th instant. Since which time nothing of importance has occurred. Commodore Chauncey has left this part of the lake, and the enemy have now so far the ascendancy as to render the proposed enterprise against his land force impracticable. Yesterday general Porter arrived at this place with a body of volunteers and Indians, which had been previously assembled at Buffaloe. In the event of such an attack as was contemplated,

this force would be of infinite service. At present they can only be employed to harass the enemy.

I have the honour to be, sir, your most obedient servant,

JOHN P. BOYD,
Brigadier-General commanding.

Hon. John Armstrong, Secretary at War.

Letters from the Secretary at War to Major General Lewis, commanding at Sackett's Harbour.

Extracts of a Letter from the Secretary of War to Major General Lewis, dated

War Department, July 9, 1813.

" An order was expedited to general Dearborn yesterday, permitting him to retire from the command of the army and district. Another was sent to Boyd forbidding him to engage in any affair with the enemy that could be avoided, and subjecting him to the orders of major-general Hampton and of yourself. This last (for Hampton is now the oldest officer in the district) was intended to meet the contingency suggested in my last letter, viz. that if we regained the command of the lake, and Yeo retired under the guns of Kingston; that this moment of superiority must not be lost, and that bringing down Boyd's division, a blow might be struck at that place. To favour this enterprise, orders will be sent to general Hampton to push his head-quarters to the position held by our army the last campaign on lake Champlain; and a requisition for ten thousand militia from the states of New York and Vermont, in reinforcement of this part of the plan, will be superadded.

" The moment Chauncey goes out our stores along the south shore of the lake should be brought down to the harbour, and in that case, your small posts (consisting of regular troops) drawn into your main body."

Sir, *War Department, July* 3, 1813.

It is not merely possible, but probable, that the British fleet in lake Ontario may, upon the fitting out the General Pike, refuse a battle and take shelter under the guns of Kingston until their new brig shall restore to them the superiority. A question of much importance arises on this supposed state of things. What will be the best possible employment of our force during the period we may be able to command the lake? Shall we reinforce the troops at fort George from Sackett's Harbour, and cut off Vincent, or shall

we bring from fort George the mass of the division there, and uniting them to your present command, attack the enemy at Kingston? If the latter part of the alternative be adopted, two things must be done. A heavy body of militia should be assembled at Ogdensburg to draw to that point the enemy's attention, and general Hampton should move rapidly and in force against Montreal. Our assembled force at Sackett's Harbour would amount to seven thousand men, independently of the naval means. The enemy's land force at Kingston is about four thousand. Could a successful attack be made here, the fate of the campaign is decided—perhaps that of the war. The object is great; but in proportion as it is so, the means of effecting it ought to be well considered. From the sketches I have been able to procure of Kingston and its vicinity, I have no doubt but that the attack should be made on the works which cover the battery on Navy Point. These gained, town, battery, and harbour, are all at your discretion. Beware of dividing your attack. Confine it to a single point, but let that point be a commanding one.

Believe me, general, very respectfully and faithfully yours,

JOHN ARMSTRONG.

Major-Gen. Lewis, Sackett's Harbour.

Correspondence between the Secretary at War and Major-General Harrison.

Extract of a Letter from the Secretary at War, to Major-General William H. Harrison, dated

War Department, March 5, 1813.

"I have the honour to acknowledge the receipt of your despatches of the 11th and 20th ultimo.

"The suspension of your movement in advance appears to have been necessary; but though this may be the case, your demonstrations against Malden should not cease. These you will make in such way as shall be best calculated to keep up the enemy's alarm for the safety of that post, and of the ships of war wintering there. You will be more able to appreciate the value of this policy when I state, that we shall very soon be in motion on the Niagara and St. Lawrence.

"You did well in stopping the march of the two regiments from Ohio. To have added to your force so long as your object is restricted to the maintenance of your present position, would have been a very useless expenditure of both public spirit and public money.

"As your campaign is now at an end, and yet nearly ap-

proached to that which is coming, it may be proper to communicate to you the president's views in relation to your subsequent movements.

"It would appear that Malden can only be successfully approached by the route you are now upon, at two seasons of the year—mid-winter and mid-summer. The former is gone, and to wait for the latter, would be hardly less disastrous than defeat itself. What remains for us to do is to keep our present ground till the lake opens, and then to approach our object by water, and under convoy of the vessels of war building at Presque isle. These will be afloat and ready to operate by the middle of May. By the same time boats for the transportation of the troops, a train of artillery, baggage, &c. may be constructed. Cleveland is believed to be the place best fitted for this purpose. It will also be made the depot for the troops to be employed on the expedition, which will be the 24th regiment now at Massac; and three of the twenty new regiments provided by an act of the session of congress which closed yesterday. Two of these will be raised in the state of Ohio, and the third in that of Kentucky.

"Whatever these troops may fall short of the number and strength contemplated by the laws under which they shall be raised, must necessarily be made up from *militia and volunteers;* whence will arise the necessity of strictly attending to the progress of enlistments, so that in the event of their failure, which may be readily foreseen, time may be left for resorting to the other expedient."

Sir, *War Department, March* 7, 1813.

Your letter of the 18th of February was, from some cause, delayed much beyond the usual course of the mail, and even some days after the receipt of your despatch of the 20th.

You will find by my letter of the 5th instant, the plan prescribed for your part of the campaign; and to prevent any ill effect arising from its miscarriage, a second copy is herewith inclosed. It is probable that colonels M'Arthur and Cass will both be promoted to the rank of brigadier, and will be assigned to the command of the two brigades intended to form your division of the army. In the enumeration of corps making parts of this division, I did not mention the two regiments of the line, the 17th and 19th, parts of which are already with you. The filling up of these would be an important service, and you are requested to promote it. If you are at ease with regard to the safety of your pre-

sent post, against the attacks of the enemy, and have secured to yourself the means of subsisting it, there can be no motive for either reinforcing it by new drafts from the militia, or retiring from it. If, on the other hand, your force should be so reduced as to make your stay perilous, without a further reinforcement, you may employ the two regiments raised in Ohio, or so many of them as may be necessary to your object. If again, the policy of adding to your force be forbidden, by the difficulty of subsisting it, and there arises a combination of both facts, viz. a want of force to maintain your present position, and a want of means to subsist a larger one, in that case, and in that alone, you will retire to the frontier settlements, and interpose the wilderness between you and the enemy.

These directions have not grown out of any suggestions to be found in your letters, but have been produced by a circumspection which it is always proper to extend beyond the mere limits of existing circumstances.

I am, sir, with great respect, your obedient servant,

JOHN ARMSTRONG.

Major-General William H. Harrison, Franklinton, Ohio.

Sir, *War Department, March* 9, 1813.

The government have the intention of building a number of boats on lake Erie, for the purpose of transporting troops on that lake. Cleveland is the point farthest west, where any portion of these can be made with sufficient expedition. If the whole could be made there the better. These boats will be of the kind known by the name of Schenectady boats, narrow, and sharp a-head, and flat-bottomed. They will carry from forty to fifty men each, with their baggage, arms, and accoutrements, and provision for the voyage. It is proposed to commit the superintendence of this service to you, and to bestow upon you, pro hac vice, the staff appointment of deputy quarter-master-general. If workmen cannot be found at Cleveland and other places on the lake you will take them from Pittsburg. Such materials as you may want, other than those produced by the country itself, you will provide at Pittsburg and have sent on without delay. Funds, for this purpose, will be put under your controul, and you will be careful to make reports weekly of your progress.

Very respectfully, I am, sir, your obedient servant,

JOHN ARMSTRONG.

Captain Jessup, Washington.

Extract of a Letter from Major General William H. Harrison to the Secretary of War, dated Head-Quarters, Chilicothe, March 17, 1813.

"The known candour of your character is a sufficient security for receiving your pardon for the liberty I take in making objections to the plan of operations communicated in your letter of the 5th instant. If there is a positive certainty of our getting the command of lake Erie, and having a regular force of three thousand five hundred, or even three thousand, well disciplined men, the proposed plan of setting out from Cleveland, and landing on the northern shore, below Malden, would perhaps be the one by which that place and its dependencies could be most easily reduced. I am unacquainted with the extent of the preparations that are making to obtain the naval superiority upon lake Erie; but, should they fail and the troops be assembled at Cleveland, it would be difficult to get again upon the proper track for making the attack round the head of the lake. The attempt to cross the lake from Cleveland should not be made with any other than well disciplined troops. A comparatively smaller number of men of this description could effect the object, and for those the means of conveyance might be obtained; but the means of transporting such an army as would be required of militia, or undisciplined regulars, could not be procured. I can see no reason why Cleveland should be preferred as the point of embarkation for the troops, or the deposit of provisions and stores. These are already accumulated at the rapids of Miami, or in situations to be easily sent thither to an amount nearly equal to the consumption of a protracted campaign. Although the expense and difficulty of transporting the provisions, artillery, and stores for an army, round the head of the lake, would be very considerable, the lake being possessed by our ships, and the heavy baggage taken in boats along its margin, the troops would find no difficulty in the land route. The force contemplated in your letter is, in my opinion, not sufficient to secure success. Admitting that the whole should be raised by the time pointed out, they would be very little superior to militia; the officers having, with scarcely an exception, to learn their duty before they could instruct their men; we have, therefore, no alternative but to make up by numbers the deficiency in discipline.

"I am well aware of the intolerable expense which attends the employment of a large militia force. We are now, however, in a situation to avoid those errors, which made that of the last campaign so peculiarly heavy. Our supplies are

procured, and so deposited that the period for the march of the army for the advanced posts can be ascertained to an hour, and of course the troops need not be called out until the moment they are to act. Experience has convinced me that militia are more efficient in the early than in the latter part of their service. Upon the whole, it is my decided opinion that the rapids of Miami should be the point of rendezvous for the troops, as well as the principal depot. Indeed it must necessarily be the first deposit—the provisions for the army being so placed that they can be taken to the lake in no other way. The artillery and a considerable supply of ammunition are already there. Boats and perogues have been built in considerable numbers on the Auglaize and St. Mary's rivers; and every exertion is now making to increase them, intended for the double purpose of taking down the provisions to the Rapids, and for coasting the lake with the baggage of the army in its advance I had calculated upon being able partially to use this mode of transportation, even if the enemy should continue their naval superiority on the lake; but, with this advantage on our side, the whole baggage of the army could be safely and expeditiously carried along the coast in the boats and perouges, which could be taken into the strait to transport the army to the Canada shore.

"As I have before observed, the army, unincumbered with heavy baggage, would find no difficulty in marching round the lake at any season, but what the enemy would create, and we have the means of subsisting a force that would be irresistible.

"The objections to proceeding this way, stated in my letter to colonel Monroe, arose from the time that would be necessary to construct boats after we should have arrived at the strait; but this objection is entirely obviated by our obtaining the command of the lake, as the boats and perogues built upon the Miami will answer the purpose. With regard to the quantum of force, my opinion is, that not only the regular troops, designated in your letter, but a large auxiliary corps of militia should be employed. The only objection arises from the expensiveness of troops of that description. This, however, could not be an object, considering the very short time that it would be necessary to employ them. Let the moment for the commencement of the march from the Rapids be fixed, and the militia might be taken to that point, proceed and accomplish the object, and return home in two months.

"Amongst the reasons which makes it necessary to employ a large force, I am sorry to mention the dismay and disinclination to the service which appears to prevail in the western country; numbers must give that confidence which ought to be produced by conscious valour and intrepidity, which never existed in any army in a superior degree, than amongst the greater part of the militia which were with me through the winter. The new drafts from this state are entirely of another character, and are not to be depended upon. I have no doubt, however, but a sufficient number of good men can be procured, and should they be allowed to serve on horseback, Kentucky would furnish some regiments that would not be inferior to those that fought at the river Raisin, and they were, in my opinion, superior to any militia that ever took the field in modern times. Eight troops of cavalry have been formed in Kentucky, to offer me their service; and several of them were intended for twelve months volunteers. Governor Shelby has some thoughts of taking the field in person—a number of good men will follow him. He thinks that an address from me to the people of the state would produce a good effect: I have strong objections to those addresses, but will nevertheless have recourse to one, should other means fail of bringing forward a sufficient force.

"Every exertion shall in the mean time be used to forward the recruiting service: for a few weeks I think that my services would be more useful in that than any other employment."

Sir, *War Department, April* 4, 1813.

Your despatch of the 17th ultimo, from Chilicothe, has been received, and I hasten to repeat to you the views of the president, in relation to the next campaign, and the injunctions growing out of these, with regard to the employment of militia, &c.

Our first object is to get a command of the lakes. Means to accomplish this object have been taken, and we have the fullest assurance, that by the 1st day of June it will be accomplished.

This fact assumed, there can be no longer a doubt by what means, or by what route, the division of the army assigned to you, ought to approach Malden. A passage by *water* will carry you directly to the fortress you would attack, without impairing your strength by fatigue, or diminishing it by battle. A passage by *land* will, on the other hand, call for

great efforts, and expose you to great losses, which, if they do not destroy, will at least cripple you. The former will be easy, safe, and economical; the latter difficult, dangerous, and enormously expensive.

On the other supposition, that we fail to obtain the command of the lake, a new question will arise: whether the campaign shall take an offensive or defensive character? Be this question determined as it may, the utmost extent which can be given to the force employed, will be seven thousand effectives.

Various reasons determine this point. The enemy have never had in the field, for the defence of Malden, more than two thousand men. Their number has no doubt been hitherto limited by their means of subsistence, and this cause is not likely to suffer any very material change in their favour during the ensuing campaign. More than seven thousand men, therefore, would be unnecessary on our part. Again: to maintain a greater number, would be impracticable, in the present state of the treasury.

It now remains only to signify to you, clearly and distinctly, the kind of force the government mean hereafter to employ in offensive operations, if it can be obtained.

When the legislature, at their last session, adopted the measure of augmenting the army to fifty-two regiments of the line, it was expressly in the view of superceding hereafter the necessity of employing militia, excepting in moments of actual invasion, In obedience to this policy, the president assigned to the 8th military district of the United States four of these new regiments, which, if filled, and superadded to the two regiments of the line now in that district, and the 24th in march for it, will give a total of seven regiments, or seven thousand men. This number forbids the belief, that any employment of militia drafts will be necessary, when it shall have been collected. Till, however, this be done, or at least till time be given for the experiment, so many militia only are to be called out, as shall be necessary for the *defence* of your posts on the Miami, and of your depots of provision on the lake. And should the recruiting service go on less fortunately in the patriotic states of Kentucky and Ohio, than in other parts of the union, you are in that case, and in that case only, authorized to call out *so many militia drafts as will make good the deficiency;* and organizing these under the rules already prescribed, await the further orders of the president in your camp at the Rapids.

To these orders I have to add, that you will regard it as

your duty to keep this department regularly and frequently informed of the actual condition of the troops under your command; as well in regard to equipment and supplies of provision and ammunition, as to number, discipline, and health; and that your weekly and monthly reports shall include also the state of the ordnance and quarter-master's departments, noting particularly the number of horses and oxen employed by both. You will readily perceive the necessity for giving this order, when I state, that no return of any description from your division of the army has ever been received at the adjutant-general's office. Your proportion of the new staff has been given to you. Captain Adams has been appointed assistant-adjutant-general, and Mr. Bartlett deputy-quarter-master-general of your division. The brigadier-generals M'Arthur and Cass are employed in superintending the recruiting service. A letter from the latter gives reason to believe, that this will go on well in the state of Ohio.

I am, sir, very respectfully, your most obedient servant,

JOHN ARMSTRONG.

Major General Harrison, Com. the 8th Military District, U. S.

Extracts of a Letter from Major General Harrison to the Secretary of War, dated Head-Quarters, Camp Meigs, April 21, 1813.

"The plan for future operations, as laid down in your letter of the 4th, is no doubt the best that could have been devised in the event of the promised naval success, and a prosperous issue to the recruiting business. My measures will therefore be entirely directed to the prosecution of the campaign in that way.

"There is nothing to be feared as to the ulterior operations of the campaign.

"I shall cause the movements of the enemy to be narrowly watched; but in the event of their landing at Lower Sandusky, that post cannot be saved. I will direct it, in such an event, to be evacuated. The stores there are not of much consequence, excepting about 500 stands of arms, which I will cause to be removed as soon as the roads are practicable—at present it is impossible."

Extract of a Letter from the Secretary of War to Major-General William H. Harrison, dated War Department, May 8, 1813.

"Your letters of the 21st and 25th ultimo have been re-

ceived. I never meant that you, or your artillery, or stores for the campaigns, now collected at fort Meigs, should be brought back to Cleveland for embarkation. My intention was, that the boats built there should move along the coast in the wake of the fleet to Sandusky, or to the very foot of the rapids, if that were practicable and expedient, taking in on the route what was wanted. The boats building and built by major Jessup are not decked, but strong and high sided, and very competent to the navigation of the lake, particularly between the chain of islands and the west shore."

Extract of a Letter from the Secretary of War to Major-General William H. Harrison, dated
War Department, May 21, 1813.

"Your future requisitions for ordnance stores will be governed by the quantity on hand at fort Meigs and Franklinton, and by the number and calibres of the pieces you propose to take with you against Malden. Your whole train, if I am well informed, amounts to thirty-five pieces, of which nine are eighteen pounders.

"The 24th regiment was, on the 10th instant, at Lexington (Kentucky), on their way to Cleveland. You will give it any other point of rendezvous you may think proper, and adopt such means to assemble the other parts of your division as will be most adviseable. On this head, I would but suggest, that the arrangement which shall best mask your real design and most impress the enemy with a belief that your march to Malden will be by land, will be the best.

"Clothing for the 26th, 27th, and 28th regiments has been forwarded from Philadelphia.

"The last accounts of the boats preparing by major Jessup were favourable. That officer will necessarily report to you and take your orders."

Extract of a Letter from the Secretary of War to Major-General Harrison, dated
War Department, July 14, 1813.

"Orders have been sent to captain Perry to communicate to you the naval movements, and to concert with you the necessary co-operations.

"Of the militia, you are authorised to take what in your judgment will be necessary. Such of the Kentucky militia as are in service would be better than a new draft. There is (of the Pennsylvania militia) one regiment at Erie armed, equipped, &c. These are subjected to your command."

Sir, *War Department, August 5*, 1813.

The best interpretation of the late movements of the enemy in your quarter is, that De Rottenberg has detatched to the aid of Proctor between four and five hundred men, and that with these he is attempting to save Malden by attacking fort Meigs. If this conjecture be well founded, it suggests the true policy on our part, provided the flotilla was over the bar. Go directly to Malden, and leave Mr. Proctor to amuse himself with fort Meigs. There is no objection to your appointing the serjeants to other offices pro tempore. Captain Butler has been appointed major of the 32d regiment, and lieutenant M'Gee captain in the 42d.

I am, sir, very respectfully, your most obedient servant,

JOHN ARMSTRONG.

Major General Harrison.

Extract of a Letter from Major General William H. Harrison to the Secretary at War, dated Head-Quarters, Seneca Town, August 22, 1813.

"I am exerting every nerve to complete my preparations for crossing the lake, as soon as I am reinforced by two thousand of the Kentucky militia. That number is indispensable, from the sickly state of the regular troops, of whom I shall think myself fortunate to take with me two-fifths of the aggregate amount."

Extract of a Letter from Major-General Harrison to the Secretary of War, dated Head-Quarters, Seneca Town, August 29, 1813.

"I shall be able to embark some day between the 10th and 15th proximo, with upwards of 2000 regular troops, and 3000 militia. Every *exertion* has been, and is continued to be made, to prepare for the contemplated offensive operations; but, as we could not navigate the lake until our flotilla came up, nor accumulate at any point on its margin, the stores that were at Upper Sandusky and fort Winchester, during Proctor's late invasion, it will take the time I have mentioned before the embarkation can be effected. It might be facilitated by moving the troops that are here immediately to the lake, and then waiting for the Kentucky militia. But so extremely unhealthy is the whole of the southern shore, from Huron to the river Raisin, that the most fatal effects would follow the keeping the troops upon it, even for a few days. You can form a correct estimate of the dreadful effects of the immense body of stagnant water, with which the vicinity of

the lake abounds, from the state of the troops at Lower Sandusky. Upwards of ninety are this morning reported on the sick list, out of about two hundred and twenty. Those at fort Meigs are not much better."

Extract of a Letter from Major General William H. Harrison to the Secretary of War, dated Head-Quarters, Bass Island, September 22d, 1813.

"The greater part of the troops are here with me, and the whole will, I believe, be up by twelve o'clock. I shall proceed as far as the Middle Sister in the course of to-night and to-morrow, and in the following night get so near the enemy's coast as to land two or three miles below Malden by eight o'clock in the morning. These prospects may, however, be retarded by adverse winds. Commodore Perry gives me every assistance in his power, but his crews were so much cut up in the late action, that he cannot navigate his vessels without the aid of my men."

War Department, Sackett's Harbour, September 22, 1813.

Sir,

Information has reached me through various and unofficial channels, that commodore Perry had captured the whole of the British fleet on lake Erie. If this be true, it is matter of much personal and public congratulation, It enables you to make sure of Malden, and as a subsequent measure, to carry your main body down the lake, and by throwing yourself into De Rottenberg's rear, to compel him to quit his new positions before fort George. After general Wilkinson shall have left that place, there will be found on the two sides of the Niagara, a force amounting to three thousand men, who will be subjected to your orders. By giving this new direction to your operations you will readily perceive of how much more importance it is, in the opinion of the executive, to be able to expel the enemy from the country lying between the two lakes Erie and Ontario, than to pursue the Indians into their woody and distant recesses. A few days will put us in motion from this point.

Accept my best wishes, &c.

General Harrison. JOHN ARMSTRONG.

Head-Quarters, Amherstburgh, September 27, 1813.

Sir,

I have the honour to inform you, that I landed the army under my command about three miles below this place, at three o'clock this evening, without opposition, and took pos-

session of the town in an hour after. General Proctor has retreated to Sandwich with his regular troops and Indians, having previously burned the fort, navy yard, barracks, and public store houses. The two latter were very extensive, covering several acres of ground. I will pursue the enemy to-morrow, although there is no probability of overtaking him, as he has upwards of 1000 horses, and we have not one in the army. I shall think myself fortunate to be able to collect a sufficiency to mount the general officers. It is supposed here that general Proctor intends to establish himself upon the river French, 40 miles from Malden.

I have the honour to be, with great respect, your most obedient humble servant,

WILLIAM HENRY HARRISON.

John Armstrong, Esq. Secretary of War.

Extract of a Letter from Major-General William H. Harrison to the Secretary of War, dated Head-Quarters, near Moravian town, on the Thames, 80 miles from Detroit, October 5, 1813.

"I have the honour to inform you, that by the blessing of Providence, the army under my command has this evening obtained a complete victory over the combined Indian and British forces under the command of general Proctor. I believe that nearly the whole of the enemy's regulars are taken or killed; amongst the former are all the superior officers, excepting general Proctor. My mounted men are now in pursuit of him. Our loss is very trifling."

Extracts of a Letter from Major-General Harrison to the Secretary of War, dated Head-Quarters, Detroit, October 16, 1813.

"A detachment of the army, under the command of brigadier-general M'Arthur, has been for some days waiting at this place for the necessary provisions to proceed to lake Michigan. I am sorry to inform you, however, that from the effects of a violent storm, there is now no prospect of accomplishing that desirable object, the reduction of Michilimackinac, this season. It is with the greatest regret I inform you, that it is almost reduced to a certainty, that two of our schooners have been lost on lake Erie, the Chippewa and Ohio; the former loaded with the baggage of the troops from Bass island, the latter with flour and salt provisions from Cleveland."

"Upon a consultation with the two brigadiers and commodore Perry and captain Elliott, it was unanimously determined, that the season is too far advanced to attempt an expedition to Mackinac, if it were not commenced in two or three days, and there was no hope of the supplies being obtained in that time."

"It is generally believed here, that general Proctor despatched an order to the commanding officer at Mackinac to destroy the post and retreat by the way of Grand river. At any rate, it is not a matter of much importance to have that place in our possession during the winter, cut off as it is from a communication with the rest of the world."

Sir, *Sackett's Harbour, October* 20, 1813.

The enemy's corps before fort George broke up their cantonments on the 9th, and marched rapidly for Burlington bay, which he reached on the 11th. By taking this route he may intend to reinforce Proctor on the river French, or Kingston, at the head of the St. Lawrence. He was apprized of the abandonment of Malden on the 5th.

We are perhaps too remote to profit by each others suggestions; but it does not appear to me, that Sandwich is the point at which Proctor will stop, if you pursue him. From Point aux Pins, on lake Erie, there is a good road to Chatham, on the Thames, the distance not more than twenty-four miles. Were this gained, and travelled back to Sandwich, the enemy's means of subsistence might be destroyed, and himself compelled to surrender. But of the practicability of this, you are the best judge. My opinion is suggested by the map.

The first division of this army sailed two days ago. The second and the reserve follow to-day.

Yours, with great respect,

Major-General Harrison. J. ARMSTRONG.

Extract of a Letter from Major-General Harrison to the Secretary of War, dated

Head-Quarters, Erie, Pa. October 22, 1813.

"Soon after my letter to you of the 16th instant was written, I was informed that a special messenger, with despatches from you, had left Bass island in the schooner Chippewa, which had been driven from the mouth of the Detroit river in a violent storm; and from the circumstance of a quantity of baggage belonging to the officers, which was known to have been on board, being found on the lake shore, she was

believed to have been lost. As I had nearly completed the arrangement for a suspension of hostilities with the Indians, although I had no information as to the movement of the army on lake Ontario, I determined to embark general M'Arthur's brigade and the battalion of the United States riflemen, and proceed with them down the lake until I could receive some certain information of the movements of the army under general Wilkinson, and what was expected from me. I arrived here this morning with commodore Perry in the Ariel, having left the remainder of the fleet at Bass island. It is probable they will be here this evening, when we shall immediately proceed to Buffaloe."

Extract of a Letter from Major-General Harrison to the Secretary of War, dated
Head-Quarters, Buffaloe, N. Y. October 24, 1813.

"I have this moment landed at this place, from on board the schooner Ariel, which is one of seven vessels with which I left Detroit, having on board the greater part of M'Arthur's brigade, and the detachment of the United States rifle regiment, under colonel Smith. The other vessels are all, I believe, in sight, and will be up in a short time. The aggregate number of troops with me, is about thirteen hundred, but not more than one thousand fit for duty. Before this reaches you, you will no doubt be informed of the loss of your messenger, captain Brown, with the despatches that were entrusted with him. Not having received your directions, and being entirely ignorant of the state of our military operations in this quarter, I was much at a loss to know how to proceed; but believing that general Cass with his brigade would be able to secure Detroit and our adjacent conquests, after having concluded an armistice with the greater part of the hostile tribes, I concluded that I could not do better than to move down the lake with the remaining part of the troops. A part of M'Arthur's brigade is still at the Bass islands, where they were left for the want of the means of conveyance; and a considerable portion of their baggage was also left from the same cause. Means, however, have been taken to collect and bring them on.

"I shall move down the troops immediately to fort George, where I shall await your orders, unless an opportunity should previously occur of striking at the enemy. The information I have received here of the situation and movements of the enemy on the head of lake Ontario, is vague and contradictory."

Sir, *War Department, Wilna, October* 30, 1813.

I have the honour to acknowledge the receipt of your letters of the 5th and of the 24th instant.

The despatch by captain Brown, and which with him was lost in lake Erie, suggested, as an ulterior movement, the coming down to the Niagara river, and putting yourself on the right and rear of De Rottenberg's position before fort George; while general M'Clure, with his brigade of militia, volunteers, and Indians, should approach them in front. The enemy seems to have been aware of this, or of some similar movement, as he began his retreat on the 9th and did not stop until he had gained the head of Burlington bay, where I understand, by report, he yet is. This is the last strong hold in the peninsula. Routed from this, he must surrender or make his way down lake Ontario to Kingston. His force is estimated at twelve or fifteen hundred effectives. The capture or destruction of this corps would be a glorious *finale* to your campaign. Our operations in this quarter are but *beginning*, at a time when they ought to have *ended.*

I shall go on slowly towards Utica, where I may have the pleasure of seeing adjutant-general Gaines.

I am, sir, very respectfully, your most obedient servant,

Major-General Harrison. JOHN ARMSTRONG.

Extract of a Letter from the Secretary at War to General Harrison, dated

Boonsville, November 3, 1813.

"I have fortunately met colonel Gaines on the way to his regiment. The deputy paymaster shall have orders to attend to the brigade you have brought with you. Captain Butler will act as your assistant-adjutant-general, and shall receive an appointment as such. The officers of the several corps composing your division (as well those at fort George as of general Cass's brigade), not indispensable to the command of the troops now in the field, should be immediately despatched on the recruiting service. I need not invoke your attention to a subject so important to the early and successful opening of the next campaign, and to the extent and character of your particular command. Will the whole of Cass's brigade be wanted to the westward? In the event of a peace with the savages a less force would be sufficient; and, to hasten and secure this event, the present moment and present impressions must be seized. Of the warriors, sueing for peace, one or more should be sent by the nearest route, and by the most expeditious mode to the Creek nation. The

story of their defeat by you, and subsequent abandonment by the British, communicated by themselves, would probably have a decided effect on their red brethren of the south, and save us the trouble and expense of beating them into a sense of their own interest. When I wrote to you from Wilna, it was doubtful whether our attack would be made directly upon Kingston or upon Montreal. Reasons exist for preferring the latter course, and have probably determined general Wilkinson to go down the St. Lawrence. In this case, the enemy will have at Kingston, besides his fleet, a garrison of 12 or 1400 men. Had we not a corps in the neighbourhood, these might do mischief, and even render insecure the winter station of our fleet. To prevent this it is deemed advisable to draw together at Sackett's Harbour a considerable military force. There are now at that post four or five hundred men of all descriptions—sick, convalescent, and effective. Colonel Scott's detachment (about 700) are on their march thither, and it is barely possible that colonel Randolph's (not arriving in time to move with the army) may be there also. This does not exceed three hundred and fifty. M'Arthur's brigade added to these will make a force entirely competent to our object. To bring this brigade down the lake you must have the aid of the fleet, which will be readily given by commodore Chauncey. On this point I shall write to him, and suggest a communication with you in relation to it.

"This new disposition will render necessary the employment of so many of the militia and volunteers, now in service under general M'Clure, as you may deem competent to the safe keeping of forts George and Niagara, and their dependencies."

Sir, *Head-Quarters, Newark, November* 16, 1813.

Commodore Chauncey with the fleet arrived here yesterday morning, and informed me that he was ready to receive the troops to convey them down the lake; and that the season was so far advanced, rendering the navigation dangerous to the smaller vessels, that it was desirable they should be embarked as expeditiously as possible. As a very small part of the militia and volunteers had arrived, and the situation of Sackett's Harbour appearing to me to require immediate reinforcement, I did not think proper to take upon myself the responsibility of postponing the departure of the troops for the lower part of the lake, conformably to the directions contained in your letter of the 3d instant.

"The information I received yesterday from two respectable citizens that were taken near to fort Meigs in June last, and who made their escape in an open boat from Burlington, *confirms me in the propriety of sending them off.* These men state, the *troops were hurrying to Kingston from York, as fast as possible. The regulars going down in boats and militia bringing the latter back.*

The troops are now all embarked and are under the command of colonel Smith, who is an officer in whose capacity and bravery the greatest reliance may be placed.

I shall set out this evening for the seat of government.

I have the honour to be, with the highest consideration, sir, your humble servant,

WILLIAM HENRY HARRISON.

Hon. John Armstrong, Esq. Secretary of War.

Correspondence with Governor Shelby, in relation to the North-Western Campaign.

Sir, *Frankfort, August* 1, 1813.

A few days ago I was honoured with a letter from general Harrison, under date of the 20th ultimo, by his aid-de-camp, Trimble. In it he says, that "he had just received a letter from the secretary at war authorising him to call from the neighbouring states such numbers of militia as he might deem requisite for the ensuing operations against Upper Canada." In pursuance of that power, he has made a requisition on the government of Kentucky for reinforcements, and has referred me to major Trimble for information, &c. &c. and has in warm terms solicited my taking the field in person. Much delay would have been the inevitable consequence of ordering out the militia as *infantry* in the ordinary mode, by draft. As *mounted volunteers*, a competent force can, I feel confident, be easily raised. I have therefore appointed the 31st of this month, at Newport, in this state, for a general rendezvous of mounted volunteers.

I have the honour of inclosing, for the information of the president, a copy of my address to the militia of this state on the occasion.

The prospect of acting efficiently against Upper Canada will, I have no doubt, call forth a large force to our standard, and they will be immediately marched to the head-quarters of the north-western army, in such bodies as will best facilitate their movements; when there they can act as foot or mounted, as circumstances may require.

I shall take great pleasure to hear from the president on this subject previous to my departure from this place, and I request the favour of you to lay this letter immediately before him for his consideration, and that you will be pleased to apprise me of the result by the earliest conveyance.

I have the honour to be, most respectfully, your obedient servant,

ISAAC SHELBY.

The honourable the Secretary of War.

Sir, *Red Hook, North River, August* 21, 1813.

I had the honour of receiving your excellency's letter of the 1st of August by the southern mail of yesterday, and of learning from the war office that a copy of it had been forwarded to the president for his consideration and orders. These will be communicated to your excellency as promptly as possible.

I have the honour to be, &c. &c. &c.

JOHN ARMSTRONG.

His Excellency the Governor of Kentucky.

Note.—It is understood that it was not till the receipt of the above at the war office, for transmission to Kentucky, that governor Shelby's letter was sent to the president.

Sir, *War Office, September* 27, 1813.

In the absence of the secretary of war, I have the honour to inform your excellency, that the president has been pleased to approve your arrangements, in substituting volunteers for the detached militia required by general Harrison.

The term of service for the detachment under your excellency, must depend on the arrangements of the commanding general, to whom you are referred for the necessary information relative to their duty, and the points where your troops will be expected to operate.

It will be proper for your excellency to keep up a correspondence with general Harrison. This is rendered the more necessary, *as the several requisitions which have been made by him for volunteers and militia have not been accurately reported to the war office; and it is possible he may find it adviseable to discharge a part of your force before they reach the frontier.*

In the present critical period of the campaign, it seems adviseable to submit all further arrangements to general Harrison, under the instructions he has received from the president through the secretary of war.

With perfect respect, I have the honour to be, your excellency's most obedient humble servant,

DANL. PARKER, *C. C. War Department.*

His Excellency Isaac Shelby, Governor of Kentucky.

Correspondence between the Secretary of War and Major-General Hampton.

Dear Sir, *September* 1, 1813.

Prevost has gone up to the head of the lake; Yeo has followed him. The object is either to attack Boyd, or to draw Wilkinson to the west, and spin out the campaign, without either giving or receiving blows of decided character. In either case, his [Prevost's] rear is manifestly neglected, and we must not lose the advantage he presents for attacking it. Wilkinson has gone on to fort George to baffle Prevost (if the former be his object), and to bring off the army, should the other be manifestly his intention. If Chauncey beat Yeo, sir George's case will be desperate. This is the pivot on which the issue of the campaign turns.

I am, dear sir, yours, &c.

JOHN ARMSTRONG.

Sir, *Camp, near Burlington, Sept.* 7, 1813.

Your letter of the 1st instant came to hand, by express, the last evening. My dispositions for a movement had been shaped to meet the arrangement communicated in my letter of the 31st ultimo; but I called together the heads of departments this morning to know how far it would be practicable to anticipate that which you had indicated in your despatch of the 29th, and it was found impracticable.

Learned's regiment has not arrived. The ordnance and fixed ammunition belonging to the artillery were only to leave Albany on the 5th, and the latter for the infantry is not yet on its way, notwithstanding my order to major Bumford, as early as the 12th or 15th of August; and without it I shall be fifty rounds a man short, having now less than fifty, including those in the cartridge boxes. But what is worse than all, the quarter-master-general's arrangements, for the land transportation, is shaped to the 20th, and cannot be met at an earlier day.

A descent by water, and direct attack on the Isle aux Noix, is out of the question. It is a place of immense strength, and cannot be approached, but by a decided superiority of naval strength. This commodore M'Donough does not pre-

tend to assume *in the narrow waters*. He has this morning been explicitly consulted upon that point. Our approach must be by the Plains of Acadia. I have directed a monthly return to be inclosed. Our strength will be less than 4000 effectives. Lane and Leonard's regiments have come on, with mumps and measles upon them, and totally destitute of the least instruction. Too much must not be expected from us. All accounts concur in representing the force of the enemy at more than 5000, exclusive of three battalions of *incorporated militia* (twelve months men) stationed at the *Cedars* and *Cascades*, some distance up the St. Lawrence. If any have gone to Kingston, they have been detached from these points. These battalions consist of 400 men each.

I shall expect information from you respecting the state of things above, but shall not wait a moment for it, after I am ready.

I have the honour to be, sir, very respectfully, your most obedient servant,

W. HAMPTON.

Hon. John Armstrong Secretary at War.

Sir, *Sackett's Harbour, September* 13, 1813.

Your letter of the 7th instant has been received. Chauncey probably fought a battle on the 11th instant. A heavy cannonade was distinctly heard at this place for several hours, and a boat from Great Sodus states, that an engagement between the fleets took place off *Presque Isle* on the northern shore of the lake. (Presque Isle is nearly opposite to Great Sodus.) We are anxiously looking for the result. Had Chauncey been beaten, or so crippled as to make it necessary for him to go into port, we should have seen him here before to-day. His absence and his silence give us, therefore, an assurance that whatever may have been the issue of the battle, it has not disabled him from covering the intended movement of the troops.

Our information differs widely from yours as to the strength of the enemy at Montreal and its dependencies. A deserter from a British detachment of 300 men, moving from Montreal to Kingston, and who left them near the head of the Rapids, came to this post the day before yesterday. He states that the whole regular force near Montreal does not exceed one thousand effectives, and that but three hundred invalids have been left at Quebec. This agrees with information received through other channels less direct, and perhaps less correct, than yours.

From general Wilkinson I have not heard a syllable since his arrival at fort George, which was on the 4th instant. He must now be on the point of moving.

The 10th and 32d regiments are in march for Plattsburg. The latter was destined for this place, but learning that it could not leave Philadelphia before the 12th, I have given to it the shorter march and nearer the scene of action.

It is much to be regretted that our naval means on lake Champlain should have fallen so far short of their object. To *our* operations an ascendancy in the narrow parts of the lake is of infinite moment. A well chosen position on the plains is the alternative of most promise. It may keep the different corps of the enemy in a state of separation.

With great respect, I am, sir, your most obedient, and very humble servant,

Major-General Hampton. JOHN ARMSTRONG.

Sir, *Head-Quarters, Cumberland Head, Sept.* 15, 1813.

I have got my forces nearly concentrated at this point; and, with M'Donough's aid have put a stopper on the lake which ensures tranquillity while my preparations are going on. All now depends on the quarter-master-general, and I believe he will surmount every obstacle. I shall soon be ready.

I am, &c.

Secretary of War. WADE HAMPTON.

Dear General, *Sackett's Harbour, Sept.* 19, 1813.

Chauncey has chased Yeo round the lake and obliged him to take shelter in Kingston. The commodore has now gone up to fort George to bring down the troops. We are ready at this point to embark. It may, perhaps, be the 30th before *our* forces will be *assembled* and in *motion*. Your movements may of course be somewhat delayed—say to the 25th or 26th.

It is believed in Kingston that sir George Prevost is about going to Quebec. Will he not stop at Montreal?

Yours, faithfully,

General Hampton. JOHN ARMSTRONG.

Sir, *Head-Quarters, at Little Chazey, Sept.* 22, 1813.

At 6 o'clock, P. M., on the 19th, I dropped down with the army from Cumberland Head for the shore near this place, and landed at 12 o'clock at night, and an hour after had the light corps of the army in motion against the advanced posts of the enemy. Snelling's command against a post a little over the line, on the lake shore, and Hamilton's

against Odletown. The blow was to have been struck at the dawn, and the corps were to unite at the latter place, twelve miles distant. Both corps were misled by their guides. Snelling finding himself out of his way for the first point, pushed for the second, and as Hamilton had taken a circuit to get below it, Snelling arrived first and fell upon the picket in a house, which he killed or took, except two or three, and the main body escaped.

Hamilton arrived soon after; the army joined them a little after nine. A few desperable Indians continued to lurk about the distant bushes, and frequently crawled up and fired upon our sentries during the day and the succeeding night.

One was killed upon his post in the dark, and two or three others wounded. They were frequently drove off and the thickets scoured, but they continued to hover round as long as we staid. The army had on their backs five days provisions, and my intention was to push through the wood, remove all obstructions, and repair the roads for our supplies, artillery, baggage, &c. which was to follow; but insurmountable difficulty occurred which at once defied all human exertion. The drought had been uncommon, and I had some doubts of the practicability of procuring water for the troops, horses, and teams; but the points of Odletown, La Cole, and and the river La Cadia were represented to me as a sure resource.

The troops, however, soon dried up the wells and springs of Odletown, and the beds of La Cole and La Cadia are represented, from authority not to be questioned, to be dry. The troops began to suffer extremely, and the few cavalry and artillery horses that arrived were obliged to be sent back to Champlain, a distance of four miles, for water. The difficulty began to produce effects the most to be dreaded.

It was not a time to hesitate: the general staff and commanding officers of corps were called together, and there was but one voice.

The *Chataugy route* was adopted. It was circuitous, but afforded water, and was practicable in less time, all obstructions in the other considered.

The army fell back in the afternoon of the 21st and encamped at Champlain. The Chataugy road takes off near this place, and the army will advance on it seven miles this afternoon. The baggage is now advancing on it. I hope to arrive at Chataugy on the evening of the 24th. I can from thence join you at any point you may advise on the St. Law-

rence. My object is *Cognawauga*, opposite to La Chine, about forty miles from Chataugy and ten from Montreal. I have my guides, and information I can rely upon. This position will present three points. If I do not hear from you I can take either or hold fast, as circumstances shall indicate.

My first movement was unexpected to the enemy; must draw him into some confusion, and will pass as a feint so soon as he hears of my route to Chataugy. My force is less numerous than I expected. It is raw, and of a description that will be for ever falling off. All *I can say is*, it shall have all the capacity I can give it.

I have the honour to be, sir, very respectfully, your most obedient servant,

W. HAMPTON.

P. S. Since writing I find all the corps cannot leave this ground before the morning, and that it will be the 25th before we reach Chataugy. W. H.

The Hon. John Armstrong, Secretary of War.

Sir, *Sackett's Harbour, Sept.* 25, 1813.

Your letter of the 22d instant, was delivered to me last night. Commodore Chauncey left this place on the 18th, in the intention of running up to fort George, and covering the transportation of the troops from that point to this. On the 21st he had not arrived there; the effect, as I suppose, of adverse winds. This circumstance will necessarily bring after it a delay in the execution of our joint operations, and will indicate the propriety of your not advancing beyond Malone or the Four Corners, until you have advice of our movement. The distance from this place to Malone is about 130 miles. An express can reach you in 30 hours, and will, of course, enable you to gain the village of Cognowaga as early as may be proper. You will give such direction to the militia corps assembled at Plattsburg, as you may think most adviseable.

I am, sir, very respectfully, your most obedient servant,

Major Gen. Hampton. JOHN ARMSTRONG.

Head-Quarters, Pomeroy's, 13 miles from Chataugy,

Sir, *September* 25, 1813.

I had this morning, at three o'clock, the honour to receive your letter of the 19th, and finding so much time on my hands, the idea has occurred, that a great advantage may arise from a closer view of our means, and the clearest possible concert and understanding in their application. Of every

matter and thing relating to mine, colonel Atkinson will give you as full an idea, as if you had been with me the last five days. When you shall have reflected fully upon them, my arrangements and ideas, your indications can be made with more precision and confidence.

The perfect *rawness* of the troops, with the exception of not a single platoon, has been a source of much solicitude to the best informed among us. This solicitude has not been removed by the first experiment. Every thing was done, to be sure, that ought to have been done; but not in that *style* which the example of a Snelling, a Hamilton, &c. ought to have inspired in the movements of even the light corps. We want a little more mercury, in the ranks at least. Can you not let me have the first dragoons, and one more veteran battalion? At all events let me have Hane and Haig, that I may have their local as well as their constitutional ardour.

But the great object of this letter is, a full and distinct view and understanding on both sides. All I need say is, that whatever part shall be assigned me in the general plan, shall be executed to the utmost extent of my ability and power.

I have the honour to be, sir, your most obedient and very humble servant,

W. HAMPTON.

Hon. John Armstrong, Secretary at War.

Extract of a Letter from the Secretary of War, to Major-General Hampton, dated

War Department, September 28, 1813.

"The position you have taken is better calculated to keep up the enemy's doubts with regard to your real point of attack than any other. *Hold it fast till we approach you.* In the present state of the campaign we ought to run no risks by *separate* attacks when *combined ones* are practicable and sure. Had you been able to have broken down the head of their defences and seized the bank of the St. John's at the Rapids, you would have bothered his knightship considerably; but, on the whole, the western movement is to be preferred; because in it there is *safety and concert*, and in the mean time, enough to render his attention to different points necessary, and of course to keep his forces in a state of division.

"The moment the enemy left the upper part of the Chesapeake, I ordered Pickens with his battalion of the 10th to join you. A battalion of the 32d had similar orders."

Dear Sir, *Head-Quarters, Chataugy, October* 4, 1813.

No change of importance in my affairs has occurred since my last, by colonel Atkinson; but, as there are several of minor consideration, I have judged that a detailed view of them might be of some use, at the moment of your arranging with the commanding general the main course of the proposed operations.

The road to Plattsburg will be completed to-day, and is a perfect *turnpike*. The artillery, consisting of 8 six-pounders, 1 twelve, and 1 howitzer, tolerably appointed and found, is arrived. I have but a small stock of provisions on hand, but have the most pointed assurance from colonel Thomas, the quarter-master-general, that a supply of sixty days of bread and flour will arrive at once, in the course of three or four days. I have only from forty to fifty rounds of musket cartridges with me, but this convoy will make the supply an *hundred*, and give to the artillery all it requires in reserve. The supply of salted provisions will not exceed a fourth of the proportion of flour; but we have, and can have, an unlimited supply of good beef cattle. Brigadier-general Parker is at Plattsburg hastening my supplies, and presiding over some arrangements that were thought necessary. I have directed the commencement of a *petty war*, or invasion of the lines, at and near lake Champlain, by colonel Clark, who has some volunteers, and brigadier-general Fasset (our colonel), who has, at my instance, called out his brigade of militia. The latter, I understand, turn out but badly, but they will make together, I suppose, from 600 to 1000 men. There has been inculcated by the artifices of the British, a shameful and corrupt neutrality on the lines, for the purposes of gain. I have directed these officers to break the truce. And should other means fail, to act the part of a mischievous urchin, who, to get two peaceable *tabbies* at "*making the fur fly*," hold them up together by the tail. To be serious, it is really time each individual should take his side, and that traitors to either, should meet their due reward. What I am aiming at, however, is tranquillity on the road, by kicking up a dust on the lines. It will also create a division at a proper point. Of Hopkins's militia, but about 250 have arrived, and not more than 50 or 60 of them have consented to pass the line. Such as refused, general Parker was authorized to keep on the lines below, and to excite all the *alarm* he could with them and the Vermonters. The change of habit has produced more sickness among my raw soldiers than I expected. I believe the number has accumulated at this place

to 300; and I am afraid will increase. The enemy is in considerable force about 12 or 14 miles distant. He made an attack on one of my out-posts with 300 or 400 regulars, and as many Indians, on the afternoon of the 1st instant, but he fell into bad hands. He found Snelling well posted with his own and Wool's corps. The attack was made with Indians, and the regulars lay in ambush. But Snelling dashed upon them with such rapidity upon their flanks, that they all scampered away together. Lieutenant Nash of the 33d regiment, and one man was killed, and one wounded. If the Indians lost any they carried them off.

The Indians still hover about us and shoot at our sentries. The St. Regis people are poor d—ls.

I have written in much haste, and have neither time for correction nor copying. You must take it for better for worse. I will only entreat you to regard it in any other light rather than that of an official communication. You may, however, no less rely upon all the information it conveys.

I am, sir, very respectfully and truly, your most obedient servant,

The hon. John Armstrong. W. HAMPTON.

Dear Sir, *Head-Quarters, Chataugy, October* 12, 1813.

My solicitude to know your progress, and the real state of the *grand army*, is extreme. It is perhaps not less *necessary* for both, that I should be constantly informed. Implicit faith, cordiality, and concert ought to unite our efforts. These have formed the basis of our exertions so far, and promise, more than our numbers, the result so much desired. I have no reference to individuals; but to the *heart* of every man. The point and movement of our junction is all important; and that, and not the moment of my departure from hence, ought to be indicated; because I ought to be the best judge of the *time* necessary to surmount the obstacles in the way. Between this and *Cognawauga* much work on the road is necessary, and I ought to advance upon it two or three days earlier than might be judged necessary upon a smooth and solid road. By seizing and holding strong positions in my front, the work could progress in my rear without incurring risk, until I arrive within a striking distance. You have said "hold fast," and it might be considered precipitate to advance before I hear, at least, that the *rubicon* is passed above. These are points for your consideration, and those with you who guide the general movement. You have not sent me the 200 mounted dragoons. Their presence, on ground, the

possession of which I do not despair of gaining, added to a force of 4000 effective infantry and a well appointed *train*, ought to inspire you with some reliance upon our army, new as it is. High pretensions have been avoided; but the moment has arrived when it is perhaps necessary for us to be estimated at as much as we are worth.

The 10th is at hand, and is included in the estimate. It is believed the militia may serve for escorts to what must follow us.

Colonel Clark is carrying on his small war on the lines with all the effect contemplated. The enemy's motley force have every where nearly disappeared. He is concentrating, no doubt, on points in my way, or on the river.

I have the honour to be, sir, very respectfully and truly, your obedient servant,

W. HAMPTON.

The Hon. General Armstrong, Secretary at War.

We have had an intelligent deserter of the regiment of Canadian Fencibles. He states the enemy's force near us at 3000 men; but when put to the detail, gave it as follows:

13th regiment—two flank companies and part of a battalion, - - - - - - -	300
Muron's French regiment, two flank companies,	200
Canadian fencibles, colonel Robinson, -	150
Colonel Shaburry's command, voltigeurs and Indians and some fencibles, - - - -	700
Two battalions incorporated militia, - -	750
The whole commanded by colonel Williams,	2100

Sir George had gone along to Montreal. He brought down thirty-six boats and about 600 troops, included in the above.

Dear General, *Sackett's Harbour, October* 16, 1813.

Your favour of the 8th ultimo has been handed to me by major Parker. The Niagara division has been slow in its movements. It has at length reached Henderson's harbour, and moves this day to Grenadier Island, whither the division here is moving also. From this point (Grenadier Island), we take our departure either for Kingston or for Montreal. The enemy broke up his positions before fort George on the 9th, burned his surplus stores, arms, &c. and moved rapidly for Burlington bay, which he reached on the 11th instant. Advices from the bay of Canti state that he is coming down to Kingston, and that his sick and convalescent, to the num-

ber of 1200, had already arrived there. He will bring with him about 1500 effectives, and thanks to the storm and our snail-like movements down the lake, they will be there before we can reach it. The *manœuvre* intended is lost, so far as regards Kingston. What we now do against that place must be done by hard blows and at some risk. The importance of the object may, however, justify the means. In the other case, (an immediate descent of the St. Lawrence) the army will make its way to the isle Perrot, whence we shall immediately open a communication with you. Under these circumstances you will approach the *mouth of the Chateauge or other point which shall better favour our junction, and hold the enemy in check.* Your known vigilance and skill make it unnecessary to suggest the precaution against the enterprises of the enemy while you remain within stroke of him. The dragoons will pass the St. Lawrence near the Coteau de lac.

Yours, &c.

Major-General Hampton. JOHN ARMSTRONG.

Sir, *Head-Quarters, Four Corners, Nov.* 1, 1813.

On the morning of the 21st ultimo the army commenced its movement down the Chataugy, for the purpose of placing itself in a situation which would enable it to fulfil its parts of the proposed combined operations on the St. Lawrence.

An extensive wood of eleven or twelve miles in front, blocked up with felled timber, and covered by the Indians and light troops of the enemy, was a serious impediment to the arduous task of opening a road for the artillery and stores. Brigadier-general Izard with the light troops and one regiment of the line, was detached early in the morning to turn these impediments in flank, and to seize on the more open country below, while the army, preceded by a strong working party, advanced on a more circuitous but practicable route for a road. The measure, as will be seen by the report of brigadier-general Izard, which I have the honour to inclose, completely succeeded, and the main body of the army reached the advanced position on the evening of the 22d. The 23d and 24th were employed in completing the road and getting up the artillery and stores.

I had arranged, at my departure, under the direction of major Parker, a line of communication as far up the St. Lawrence as Ogdensburg, for the purpose of hastening to me the earliest notice of the progress of our army down. I had surmounted twenty-four miles of the most difficult part of the route, and had in advance of me seven miles of open coun-

try, but at the end of that distance commenced a wood of some miles in extent, which had been formed into an entire abatis, and filled by a succession of wooden breast-works, the rearmost of which were supplied with ordnance. In front of these defences were placed the Indian force and light corps of the enemy, and in the rear all of his disposable force. As the extent of this force depended upon his sense of danger on the St. Lawrence, it was a cause of regret that all communication from yourself or major Parker seemed to be at an end. As it was, however, believed that the enemy was hourly adding to his strength in this position, if free from the apprehension of danger from above, an effort was judged necessary to dislodge him, and if it succeeded, we should be in possession of a position which we could hold as long as any doubts remained of what was passing above, and of the real part to be assigned us.

Our guides assured us of a shoal and practicable fording place, opposite the lower flank of the enemy's defences, and that the wood on the opposite side of the river, a distance of seven or eight miles, was practicable for the passage of the troops. Colonel Purdy with the light corps, and a strong body of infantry of the line, was detached at an early hour of the night of the 25th to gain this ford by the morning, and to commence his attack in rear, and that was to be the signal for the army to fall on in front, and it was believed the pass might be carried before the enemy's distant troops could be brought forward to its support.

I had returned to my quarters from Purdy's column about 9 o'clock at night, when I found a Mr. Baldwin, of the quarter-master-general's department, who put into my hands an open paper containing instructions to him from the quarter-master-general, respecting the building of huts for the army in the Chataugy, below the line. This paper sunk my hopes, and raised serious doubts of receiving that efficacious support which had been anticipated. I would have recalled the column, but it was in motion, and the darkness of the night rendered it impracticable. I could only go forward. The army was put in motion on the morning of the 26th, leaving its baggage, &c. on the ground of encampment.

On advancing near the enemy, it was found that the column on the opposite side was not as far advanced as had been anticipated. The guides had misled it, and finally failed in finding the ford. We could not communicate with it, but only awaited the attack below. About 2 o'clock the firing commenced, and our troops advanced rapidly to the attack.

The enemy's light troops commenced a sharp fire, but brigadier-general Izard advanced with his brigade, drove him every where behind his defences, and silenced the fire in his front. This brigade would have pushed forward as far as courage, skill, and perseverance could have carried it; but on advancing, it was found that the firing had commenced on the opposite side, and the ford had not been gained.

The enemy retired behind his defences, but a renewal of his attack was expected, and the troops remained some time in their position to meet it. The troops on the opposite side were excessively fatigued. The enterprise had failed in its main point, and colonel Purdy was ordered to withdraw his column to a shoal four or five miles above, and cross over. The day was spent, and general Izard was ordered to withdraw his brigade to a position three miles in the rear, to which place the baggage had been ordered forward.

The slowness and order with which general Izard retired with his brigade, could not but have inspired the enemy with respect. They presumed not to venture a shot at him during his movement; but the unguardedness of some part of Purdy's command exposed him to a rear attack from the Indians, which was repeated after dark, and exposed him to some loss. These attacks were always repelled, and must have cost the enemy as many lives as we lost. Our entire loss of killed, wounded and missing, does not exceed fifty. In its new position within three miles of the enemy's post, the army encamped on the night of the 26th, and remained until 12 o'clock of the 28th. All the deserters, of whom there were four, having concurred in the information that sir George Prevost, with three other general officers, had arrived with the whole of his disposable force, and lay in the rear of these defences, and a letter from major Parker (by express received on the evening of the 26th) having informed me that no movements of our army down the St. Lawrence had been heard of at Ogdensburg, and for some distance above; the following questions were submitted to the commanding officers of brigades, regiments, and corps, and the heads of the general staff, in a council convened for the purpose: "Is it adviseable, under existing circumstances, to renew the attack on the enemy's position, and if not, what position is it adviseable for the army to take, until it can receive advices of the advance of the grand army down the St. Lawrence?" The opinion of the council was expressed in the following words:

"It is the unanimous opinion of this council, that it is ne-

cessary, for the preservation of this army and the fulfilment of the ostensible views of government, that we immediately return by orderly marches to such a position (Chataugy) as will secure our communication with the United States, either to retire into winter quarters or to be ready to strike below." In pursuance of this opinion the army has returned by slow marches to this place, and now awaits the orders of the government. Its condition will be stated by the bearer, colonel King, who can give you, upon every point, more full and perfect information, than could be contained in a written detail.

I have the honour to be, with great respect, your obedient servant,

W. HAMPTON.

The hon. John Armstrong, Secretary of War.

Head-Quarters of the Army, District No. 9, *seven miles above Ogdensburg,*

Sir, *November* 6, 1813, *in the evening.*

I address you at the special instance of the secretary of war, who, by bad roads, worse weather, and ill health, was diverted from meeting me near this place, and determined to tread back his steps to Washington from Antwerp on the 29th ultimo.

I am destined to and determined on the attack of Montreal, if not prevented by some act of God; and to give security to the enterprise, the division under your command must co-operate with the corps under my immediate orders. The point of rendezvous is the circumstance of greatest interest to the issue of this operation, and the distance which separates us, and my ignorance of the practicability of the direct or devious roads or routes on which you must march, make it necessary that your own judgment should determine that point. To assist you in forming the soundest determination and to take the most prompt and effectual measures, I can only inform you of my intentions and situation in one or two respects of first importance. I shall pass Prescott to-night, because the stage of the season will not allow me three days to take it; shall cross the cavalry at Hambleton, which will not require a day, and shall then press forward and break down every obstruction to the confluence of this river with Grand river, there to cross to the isle Perrot, and with my scows to bridge the narrow inner channel, and thus obtain foothold on Montreal island, at about twenty miles from the city; after which our artillery, bayonets, and swords

must secure our triumph or provide us honourable graves. Inclosed you have a memorandum of my field and battering train, pretty well found in fixed ammunition, which may enable you to dismiss your own, but we are deficient in loose powder and musket-cartridges, and therefore hope you may be abundantly found. On the subject of provisions, I wish I could give as favourable information; our whole stock of bread may be computed at about 15 days, and our meat at 20. In speaking on this subject to the secretary of war, he informed me that ample magazines were laid up on lake Champlain, and therefore I must request you to order forward two or three months supply by the safest route in a direction to the proposed scene of action. I have submitted the state of our provisions to my general officers, who unanimously agree that it should not prevent the progress of the expedition; and they also agree in opinion, that if you are not in force to face the enemy you should meet us at St. Regis, or its vicinity.

I shall expect to hear from, if not to see you, at that place on the 9th or 10th instant,

And have the honour to be, respectfully, &c.

JAS. WILKINSON.

To Major-General W. Hampton, &c.

P. S. I was preparing an express which I should have despatched to morrow but for the fortunate call of colonel King.

A copy. JOHN HOOMES, *Aid-de-camp.*

Sir, *Head-Quarters, Four Corners, November* 8, 1813.

I had the honour to receive, at a late hour last evening, by colonel King, your communication of the 6th, and was deeply impressed with the sense of responsibility it imposed of deciding upon the means of our co-operation.

The idea suggested as the opinion of your officers, of effecting the junction at St. Regis, was most pleasing, as being the most immediate, until I came to the disclosure of the amount of your supplies of provision. Colonel Atkinson will explain the reasons that would have rendered it impossible for me to have brought more than each man could have carried upon his back; and, when I reflected that, in throwing myself upon your scanty means, I should be weakening you in your most vulnerable point, I did not hesitate to adopt the opinion, after consulting the general and principal officers, that by throwing myself back on my main depot, where all the means of transportation had gone, and falling upon the enemy's flank, and straining every effort to open a communi-

cation from Plattsburg to Cognawauga, or any other point you may indicate on the St. Lawrence, I should more effectually contribute to your success than by the junction at St. Regis.

The way is, in many places, blockaded and abatised, and the road impracticable for *wheels* during winter; but, by the employment of pack horses, if I am not overpowered, I hope to be able to prevent your starving.

I have ascertained and witnessed the plan of the enemy is to burn and consume every thing in our advance.

My troops and other means will be described to you by colonel Atkinson. Besides their rawness, and sickliness, they have endured fatigues equal to a winter campaign in the late snows and bad weather, and are sadly dispirited and fallen off; but, upon this subject I must refer you to colonel Atkinson.

With these means, what can be accomplished by human exertion, I will attempt, with a mind devoted to the general objects of the campaign.

W. HAMPTON.

A copy. JOHN HOOMES, *Aid-de-camp.*

To Major-General Wilkinson.

Sir, *Head-Quarters, Plattsburg, November* 12, 1813.

I have the honour to inclose the copy of a letter I have received from general Wilkinson, and of my reply. The forage at Chataugy had been nearly consumed before the expedition down the river; and in the return of the army, enough only could be found to subsist the horses and teams two or three days. All accounts concurred in the report, that general Wilkinson had not commenced his operations against Kingston, and that no descent down the river was intended. Hence the necessity for sending off the cavalry, artillery, and provision teams to Plattsburg for subsistence; and hence also, the impossibility of a junction at St. Regis with more provisions than must have been consumed on the march to that place. General Wilkinson had no spare transportation for us; and the junction would have reduced the stock of provisions to eight or ten days for the whole. The alternative was adopted under the impression of *absolute necessity.*

The army has approached on this route to the road leading to Chazey, a few miles from the lines, where I shall join it to-night. I can only repeat what I said in my letter to general Wilkinson, "that what can be accomplished by human exertion shall be attempted to meet the objects of the

campaign." But I should be uncandid not to own, that many circumstances are unpropitious. The force is dropping off by fatigue and sickness to a most alarming extent. My returns yesterday report the effectives at little more than half their original state at Chataugy; and, which is more discouraging, the officers, with a few honourable exceptions, are sunk as low as the soldiers, and endure hardship and privation as badly. In a word, since the show, produced by clothing, movements, &c. has worn off, all have assumed their native *rawness*. Fatigue and suffering from the weather have deprived them of that spirit, which constituted my best hopes. What confidence can the best officer (and I have a few surpassed by none) feel under such circumstances? It is painful to hold up to you this picture, but it is but too faithfully drawn.

The quarter-master-general has been ordered to procure on hire 400 waggons, and I shall attempt to open a communication on the direct route from the town of Champlain. Success, under the circumstances I have mentioned, must depend upon the efforts and force opposed to me. The *demonstration*, however, can but produce a partial good.

On the route I took, the enemy burnt and consumed every thing before him, and this I understand to be his general plan. If the same course precede the advance of general Wilkinson, and my feeble force should be foiled, the consequences are much to be dreaded. But the rubicon is now passed, and all that remains is to push for the capitol.

I have the honour to be, sir, very respectfully, your most obedient servant,

W. HAMPTON.

General John Armstrong, Secretary of War.

Extract of a letter from Major-General Hampton to the Secretary of War, dated

Chazey, November 15, 1813.

"I have the honour to inclose you the copy of a letter I received the last evening from general Wilkinson, by colonel Atkinson, whom I had sent to him for the purpose of settling the plan of our proposed joint operations. Of the consistency of this letter with that of the 6th instant, and my answer, or of the insinuation it contains, I shall say nothing. Upon so plain a case, and an attempt so unworthy the occasion, common sense will afford every explanation I could wish. I shall make the necessary arrangements for placing the troops in winter quarters, and commence my journey to the southward."

Head-Quarters, near Cornwall, (U. C.)
November 12, 1813.

Sir,

I this day had the honour to receive your letter of the 8th instant by colonel Atkinson, and want language to express my sorrow for your determination not to join the division under your command with the troops under my immediate orders.

As such resolution defeats the grand objects of the campaign in this quarter, which, before the receipt of your letter, were thought to be completely within our power, no suspicion being entertained that you would decline the junction directed, it will oblige us to take post at the French Mills, on Salmon river, or in their vicinity, for the winter.

I have the honour to be, respectfully, sir, your most obedient servant,

Major-General Hampton. J. WILKINSON.

Correspondence between the Secretary of War and Major-General Wilkinson.

Submitted to the President by the Secretary of War, on the 23*d July, and communicated to General Wilkinson on the* 5*th of August*, 1813.

The time at which we have reason to expect an ascendancy on lake Ontario has arrived. If our hopes on that head be fulfilled, though but for a short period, we must avail ourselves of the circumstance, to give to the campaign a new and increased activity.

For this purpose our forces on the Ontario should be *concentrated*, because neither section of them, as they are now divided, is competent to any great object.

The point of concentration is more doubtful:

1st, If at fort George, our utmost success can but give us the command of the peninsula, which, if general Harrison succeeds against Malden, will be of diminished interest, both to us and to the enemy: to us, because Malden will more completely cover our western frontier and controul the savages than forts George and Erie: to the enemy, because Malden lost, our inroad upon the peninsula, will but have the effect of *shortening*, not of *dividing*, the enemy's line of operations; in a word, success at this point will not give to the campaign a character of *decisive advantage*.

2d, If, on the other hand, we make Sackett's Harbour the point of concentration, *Kingston* may become the object

of our attack, which by the way, will but be returning to the original plan of campaign, prescribed to general Dearborn. This place is of much importance to the enemy, and will no doubt be defended by him with great obstinacy, and with all the resources which can be safely drawn from other points. That it may be taken by a joint application of our naval and military means, is not however to be questioned. The inclosed diagram will show the number and character of the enemy's defences. His batteries on No. 1, cannot be sustained but by his fleet. These carried, he is opened to a descent at No. 2 and 3. If he divides his force between both, we oppose one half of his strength with the whole of ours. If he concentrates at No. 2, we seize No. 3, and command both the town and the shipping. If he concentrates at No. 3, we occupy No. 2, and with nearly the same results.

Cotemporary with this movement, another may be made on the side of lake Champlain, indicating an intention of attacking Montreal and its dependencies, and really attacking them, if to save Kingston, these posts have been materially weakened.

3d, Another and different operation, to which our means are competent, would be a movement from Sackett's Harbour to Madrid on the St. Lawrence. At this place the river may be most easily crossed. The ground opposite to it is a narrow bluff, skirted by the river on one side, and a swamp of great extent and of difficult passage on the other. This gained and fortified, our fleet continuing to command the water line from the head of the river to Ogdensburg, and lake St. Francis occupied with a few gunboats and barges, the army may march against Montreal, in concert with general Hampton. The only natural difficulty to the execution of this plan, would be presented by a branch of the Grand river, which must be crossed; but at this season, though deep, it is believed to be fordable.

Under the preceding supposition it is respectfully submitted, whether it will not be most adviseable to make *Sackett's Harbour* the point of concentration, and leave to the commanding general an election (to be determined by circumstances) between the two plans suggested under the 2d and 3d heads.

JOHN ARMSTRONG.

Approved and adopted, 23*d July*, 1813.

Washington, August 6, 1813.

I have examined the projects of the campaign, intended for the past and ensuing stages of it, on the side of Canada, which you put into my hands yesterday. The novelty of the subject to me, and the pressure of time, will prevent the deliberate consideration of it which its importance merits; and therefore I shall confine myself to a few brief observations touching the project of the 23d ult.

1st, If we command lake Ontario (without which the project is impracticable), and our force be competent to carry Kingston, the incorporation of our troops should take place at Sackett's Harbour, and the attack be made as promptly as possible.

2d, On the contrary, should our combined disposable force be deemed incompetent to the certain and speedy reduction of Kingston, then it may be preferable to strengthen our force at fort George, cut up the British force in that quarter, destroy the Indian establishments, and (should general Harrison fail in his objects) march a detachment to capture Malden.

While these operations are pending, a bold feint or provisional attack on Montreal, by major-general Hampton, will certainly call sir George Prevost to that place; and it is presumable, that seeing our movements directed towards Erie, he may carry his best troops with him from Kingston.

These suggestions spring from my desire to hazard as little as possible in the outset, and to secure infallibly whatever may be attempted, with the intention to increase our own confidence, to diminish that of the enemy, and to *popularise* the war.

After our operations on the peninsula have been closed, we may raze the works there under your provisions, leave our settlements on the strait in tranquillity, and like lightning must direct our whole force against Kingston; and having reduced that place, and captured the shipping, we may descend the stream, and form a junction with the column of general Hampton in the neighbourhood of Montreal, should the lateness of the season permit, by which all our movements after the conquest of Upper Canada must be governed.

To give general Hampton's movements a menacing aspect, and to enable him to profit by events, he should take with him a heavy train of battering cannon and mortar pieces, which will be found indispensable in the attack of Montreal; and to weaken that place, and to favour a pro-

tracted season, I would advise that a heavy column of militia or volunteers, if engaged for three months only, should be put in motion from the vicinity of lake Memphramagog, to descend the river St. Francis, and take post on the right bank of lake St. Petre, with a battering train of travelling carriages, organized and equipt either to keep post or retire when the season or other circumstances should render expedient.

Before I close this letter, I will beg leave to call your attention to several specific points, on which I require information and authority, which I deem essential to the salutary discharge of the high and solemn trust about to devolve upon me.

1st, A copy of the instructions to major-general Hampton, for my government in the correspondence to ensue between us.

2d, Shall I be allowed a private secretary, which is necessary, and of right belongs to the command on which I am about to enter?

3d, I require permission to take for my aids de camp such officers as are best fitted to discharge the important duties of the station.

4th, I ask authority (or is it understood that I possess it) to supply every defect of the munitions of war and transport by land or water, by means of the authorised agents.

5th, I entreat that ample funds may be deposited in proper hands, to give effect to the department of intelligence, without which the chief will find himself hoodwinked.

6th, I trust no order of whatever nature will be passed to any officer under my command, but through my hands. This is not only necessary to the regular conduct of the public service, but it is vitally essential to the preservation of sound subordination, and is conformable to the rules of service in all armies, inasmuch as he who is responsible for all should have the controul of all.

7th, I hope I may be expressly authorised to detach from my command all persons who may manifest a temper or dispositions to excite discontents, to generate factions, or imbitter the service. This is indispensable to put down seditious spirits, and to harmonise the corps.

8th, Should we move against Kingston in the first instance, the withdrawal of our force from fort George will enable the enemy to re-occupy that point, and for a brief period to harass our frontier on that strait. May not the militia or a body of volunteers be called forth to relieve the regular troops at that place, and prevent discontents and complaints?

9th, For the maintenance of the necessary authority of the chief, it is hoped the secretary of war will decline and forbid all correspondence with his subordinate officers, except in cases of personal grievance.

10th, I beg to be advised of the means of communication between our military positions, and particularly from Sackett's Harbour to Burlington, which should be rapid and infallible.

11th, I ask authority to equip the whole of our horse artillery, and to mount the whole of our dragoons, because these arms will be found all important in every combat which may ensue.

A serious impression of the dread responsibility which awaits me, and a correct sense of the public expectation which accompanies me must be my apology for giving you so much trouble.

With perfect respect, I have the honour to be, sir, your obedient servant,

JA. WILKINSON.

Honourable John Armstrong, Secretary at War.

Sir, *War Department, August 8th*, 1813.

I have given to your observations of the 6th instant all the consideration they so justly merit.

The main objection to any plan, which shall carry our operations wide of Kingston and westward of it, is, that in the event of its success, it leaves the strength of the enemy unbroken; it but wounds the *tail* of the lion, and of course, is not calculated to hasten the termination of the war, either by increasing our own vigour, or by diminishing that of the enemy. Kingston is the great depot of his resources, and so long as he retains this and keeps open his communication with the sea, he will not want the means of multiplying his naval and other defences, and of reinforcing or renewing the war in the west. *Kingston*, therefore, as well on grounds of policy as of military principle, presents the *first* and *great* object of the campaign.

There are two ways of approaching this; by *direct*, or by *indirect* attack: by breaking down the enemy's battalions, and forcing his works—or by seizing and obstructing the line of his communication, and thus drying up the sources by which he is nourished and maintained. Circumstances must govern in choosing between these different modes. Were our assembled land and naval forces competent to the object, a *direct* attack would no doubt be the shorter and better way; but if, on the contrary, our strength be inferior, or hardly

equal to that of the enemy, the *indirect* attack must be preferred. These considerations have suggested the third plan, to be found in my note of the 23d ultimo. To give execution to this, I would collect my force at the head of the St. Lawrence, make every demonstration of attacking Kingston, proceed rapidly down the river, seize the northern bank at the village of Hamilton, leave a corps to fortify and hold it, march upon Montreal with the main body, effect there a junction with Hampton, and take a position which shall enable you to secure what you gain. On this plan, the navy would perform its part by occupying the mouth of the river, and preventing a pursuit by water; by clearing the river of the armed boats of the enemy; by holding with its own, the passage at Hamilton, and by giving support to that position. If the enemy pursues, it must be by land, without subsistence (excepting what he carries on his back), and without artillery. If he remains stationary, his situation must soon become even more serious, as the country in which he is cannot long subsist him. It will then but remain for him to fight his way to Quebec, to perish in the attempt, or to lay down his arms. After this exposition, it is unnecessary to add, that in conducting the present campaign, you will make *Kingston* your *primary object*, and that you will *choose* (as circumstances may warrant) between a *direct* and *indirect* attack upon that post.

I have the honour to be, with great respect, sir, your most obedient servant,

JOHN ARMSTRONG.

Major-General Wilkinson, commanding District No 9.

Sir, *War Department, August* 9, 1813.

In answer to that part of your letter of the 6th instant, which calls for information, &c. on certain enumerated points, I have the honour to state:

1st, That general Hampton's instructions go only to assemble and organize his division at Burlington. It is intended that he shall operate cotemporarily with you, and under your orders, in prosecution of the plan of campaign which has been given to you.

2d, The senior major-general commanding the principal army is entitled to the services of a private secretary.

3d, The ordnance and other departments of supply within the district (No. 9) are subject of course to your orders.

4th, The quarter-master-general of the army will supply the funds for secret service.

5th, All orders to subordinate officers pass from the war department to the adjutant-general, to be communicated by him to the general commanding the district in which such subordinate officer may serve.

6th, No specific permission is necessary for removing factious or disorderly men. All such will properly become subjects of the confidential reports to be made by inspectors. To detach such men from one district to another, is only shifting the evil; the better way is to report them for *dismission*.

7th, If the corps at fort George be recalled, the works should be razed or occupied by a force competent to hold it against an *assault*. There is a corps of militia and volunteers (to whom the Six Nation Indians have associated themselves) at Black Rock, which may be kept in service. They are commanded by general Porter and Mr. Parrish. [See the confidential letter of general Porter inclosed.]

8th, The secretary of war will decline and forbid all improper communications, and particularly such as may bear any colour of insubordination.

9th, Besides the ordinary mode of communication by mail, expresses may be employed in extraordinary cases.

10th, The dragoon and light artillery corps shall be made efficient. Horses may be bought for both. An officer from each corps should be directed to superintend the purchases. Price (average) not to exceed 120 dollars.

I have the honour to be, with great respect, sir, your most obedient servant,

JOHN ARMSTRONG.

Major-General Wilkinson, commanding the Northern Army.

Sir, *Sackett's Harbour, August 21st*, 1813.

I arrived here yesterday: my machinery is in motion, and I have strong hopes of giving the change to sir George which will lead directly to the object of first importance.

Commodore Chauncey is in port here, and his antagonist, sir James Yeo, at Kingston: In the late interviews between these naval commanders the first has zealously sought a combat, which the latter has cautiously avoided; the superiority on the lake therefore remains still to be settled; but I have Chauncey's assurance for it, and place much confidence in his word; it is obviously sir James' plan to decline a conflict; but on what ground I cannot determine.

Our schooner here will be equipt and manned by Wednesday, and I shall sail with the squadron for fort George pro-

bably the day after; I am endeavouring to draw sir George after me; but whether I succeed in this attempt or not, should our men and means answer report, and Heaven favour me, I will be in possession of Kingston, or below that place, on the 26th proximo.

Major-general Hampton must not budge until every thing is matured in this quarter, and we have either got possession of Kingston or have cut its communication with Montreal, of which I shall give him seasonable advice, via Plattsburg, where I shall calculate on his arrival the 20th of the ensuing month completely equipt for a forward movement. If he changes his position and shows his column west of the lake sooner, it may carry sir George to Montreal, and produce precautions which might otherwise be neglected until too late for any salutary effect.

The militia called forth by governor Tompkins, of which by the bye you gave me no information, should not be arrayed before he hears from me at fort George, because the assembly of such a body would increase the alarm and put all Canada in counter motion, while incidents beyond the controul of man may intervene to procrastinate my movements, and thus baffle the effects of the proposed co-operation on the side of Vermont: should a corps of militia be drawn from thence, no movement should be made by them, until general Hampton has crossed Champlain.

It would be highly interesting to the public service, and extremely acceptable to me, to see you at Niagara, from whence, should I find it practicable, it is my intention to commence my movement down the lake, about the 15th of the next month; the best possible disposition for the safety of that frontier, and for the security of the vast mass of ordnance and stores which I must leave there, may render your advice and authority indispensably necessary to avert clamours, and prevent any obstruction to my prompt movement.

With high consideration and respect, I am, sir, your obedient servant,

JA. WILKINSON.

Hon. John Armstrong, Secretary of War.

Sir, *Sackett's Harbour, August* 26, 1813.

Chauncey will go out, he says, to-morrow or next day to seek sir James. I see the necessity of settling the point of *naval superiority* before we commit ourselves, and therefore, the decision cannot be had too soon. In the mean time the

essential arrangements progress, and if the means can be mustered, they will ensure the end.

I fear Yeo will avoid a contest to spin out the campaign, and gain time for reinforcements, and the organization of militia; but if he will not come out, we must blockade him. I go for Niagara the moment our arrangements are matured here. Sir George has actually gone for the head of the lake with a reinforcement. To prevent his playing tricks with Boyd, I have sent him (Boyd) the note of which you have a copy.

On Saturday, 21st, one hundred and sixty regular troops ascended by Ogdensburg to Kingston, and on the 23d and 24th, they were followed by five hundred highlanders in their kelts, who conducted up one hundred boats: thus we see that this quarter attracts chief attention. All my efforts will be made to induce sir George to draw after him a chief part of the garrison of Kingston, which must now be near five thousand strong. The situation of Proctor and the irruption of our Indians have gone far to excite these dispositions. Meet me at Niagara, if possible, and for God's sake press on the recruits from Albany and the southward, and send me Wadsworth, Swift, Fenwick, and Izard. All things go well here, and thank God, the men are recovering rapidly. I hear not a word from Hampton. I hope he does not mean to take the stud; but if so, we can do without him, and he should be sent home.

Truly yours,

JA. WILKINSON.

General Armstrong, Secretary of War.

Sackett's Harbour, August 30, 1813.

Extract of a Letter from Major-General Wilkinson to the Secretary of War.

Sir, with every exertion he could make, it was not until the last evening Chauncey got under way, and the weather being calm he must be now off this harbour.

Agreeably to my information, sir James Yeo sailed for the head of the lake the 22d instant, with the two captured schooners in addition to his squadron, no doubt to co-operate with sir George, but did not get clear of the Ducks before the 25th.

Brigadier-general Boyd is warned of this movement, and being placed on his guard, he ought to baffle every enterprise of the enemy—what an awful crisis have I reached. If sir George beats Boyd, and sir James, Chauncey, my prospects

are blasted, and the campaign will, I fear, be lost. If sir George beats Boyd, and Chauncey beats sir James, Kingston yet may be ours; but should both the knights be beaten, and our quarter-master can find transport in season (of which I have fears, as I found next to none here), then we shall certainly winter in Montreal, if not discomfited by some act of God. If I could have mustered three thousand combatants on this ground, with transport to bear them, I would now have been before Kingston, where sir George has left only one thousand five hundred regular troops, and about five hundred militia; but our utmost force is short of two thousand five hundred, as you will perceive from the inclosed return, and we could not have found boats to transport one thousand.

The enemy, having determined to change his system of operations from defence to offence, is assembling his whole disposable force at the head of the lake to attack fort George; thus placing himself at too great a distance from Montreal to give seasonable succour to that city: he certainly presumes on our imbecility, and we as certainly should take advantage of his presumption.

The militia called for should therefore be immediately arrayed and marched to this frontier, and major-general Hampton should without delay cross the Champlain and commence his movement towards St. Johns, taking the Isle aux Noix in his route or not, as circumstances may justify.

Four thousand of the best appointed yeomanry should be ordered to rendezvous at Hamilton, on the St. Lawrence, for eventual operations with this division; and the residue may accompany or follow Hampton, to draw the militia of Montreal and the disposable force of the lower country to the east of the St. Lawrence, and thereby make the island an easy conquest from this quarter.

Sir George Prevost it would seem has taken his part, and deluded by the hope of reconquest, has abandoned his rear to our enterprise, and we might now without the co-operation of our squadron, safely occupy Madrid, and cut the communication of the two provinces with this division only, if we had transports; but of this we are totally destitute, every boat we command here being at this time absent with a detachment of eight hundred men, ordered to make a feint to the westward under pretence of reinforcing Niagara before I was apprised of sir George's movements.

Sir, *Sackett's Harbour, August* 30, 1813, *5 o'clock, P. M.*

I have commenced, barely, the arrangement of the department of intelligence; an intelligencer left Kingston or its vicinity, last evening, to tell me that sir George Prevost had commenced his operations against Boyd, and had driven in his piquets and taken sixty or seventy prisoners, but had been repulsed from his line of encampment. The militia of Montreal are at Kingston, and reinforcements by single hundreds are arriving frequently; four hundred men are expected in the course of the week.

The force at Kingston is 2000 men (regulars 1500, militia 500). Major-general Darrach commands, and they are assiduously strengthening their works. Sir James Yeo sailed with six weeks provisions, expressly to co-operate with sir George at the head of the lake; a double battle and a double victory offer a strong temptation; but I will not be diverted from my course.

I have written governor Tompkins on the subject of a draft of militia for the strait of Niagara, to supply the absence of our troops of the line and prevent clamour, but have not been so happy as to receive an acknowledgment of my letter.

With perfect respect, your obedient servant,

JA. WILKINSON.

The honourable John Armstrong, Secretary of War.

War Department, Sept. 6, 1813, *Sackett's Harbour.*

Dear general, I arrived here yesterday. Nothing new, excepting that Prevost has returned to Kingston. General Hampton will go through the campaign cordially and vigorously, but will resign at the end of it. He will be ready to move by the 20th with an effective regular force of 4000, and a militia detachment of 1500. On the supposition that sir George had decidedly taken his part, and had chosen the peninsula as his champ de bataille, I had ordered Hampton to move immediately against the Isle aux Noix. 2000 militia will be promptly assembled at Champion, twenty-four miles from this place, and on the route to the St. Lawrence. The place was selected, as offering *two* objects, and of course leaving his knightship to guess. To have pushed them directly to Ogdensburgh, would not have had that advantage. A larger draft would have been difficult. Another view of the subject is, that this part of the plan cannot be confided to militia exclusively; they must be propped by a regular corps, otherwise the back door may not be sufficiently closed and barred.

The battle on the lake! Shall we have one? If Yeo fights and is beaten, all will be well. If he does not fight, the result may also be favourable.

Yours, cordially,

General Wilkinson. JOHN ARMSTRONG.

Extract of a Letter from Major-General Wilkinson to the Secretary of War, dated Fort George, 11th Sept. 1813.

"I have indulged the hope for several days past that I should have been enabled to address you in propria persona, but in this I have been baffled by a severe and unremitting malady, which obliges me to resort to the pen of a common friend.

"I reached this place the evening of the 4th. Commodore Chauncey at that time occupied the harbour; and sir James Yeo with the British squadron was vapouring in front of it. This state of things continued without any material change, until the evening of the 7th, when a light land breeze gave to the commodore an opportunity of standing out to meet the enemy. The two squadrons were about two leagues asunder, of consequence an action appeared inevitable: yet so it has happened, that, since that period, until about five o'clock, yesterday, P. M., these two naval armaments have kept from 4 to 8 miles distant, without having exchanged a single shot, or done to each other the smallest visible damage. The British uniformly on the retreat, and the American in pursuit.

"General Peter B. Porter left me to day, properly authorised and instructed to bring into operation a corps of the Six Nation Indians, which he proposes to increase to 1000 men, by volunteers from the militia, and is disposed to be busy and active wherever he may be directed.

"I hear nothing of brigadier-general M'Clure, and the New York militia. I shall mature my plans for embarkation, as rapidly as the difficulties which may oppose me can be matured; but we are greatly deficient in transport, and have not received a single boat from Oswego or any other place. Strong shallops and slip-keels are necessary to the transport of the heavy cannon, ordnance stores, ammunition, clothing, &c. &c.

"I am writing to Bomford for many things which I was assured I should find here; and I pray you to put him on the alert, or I may be caught in the snow. I dictate this under much depression of head and stomach; and am,

With great respect and esteem, your most obedient servant,

JA. WILKINSON.

Extract of a Letter from General Wilkinson to the Secretary of War, dated Fort George, Sept. 16, 1813.

"I have escaped from my pallet, and with a giddy head and trembling hand will endeavour to scrawl you a few lines, the first I have written since my arrival here.

"With respect to the advance squadrons, we are still without one word of authentic information, but we are entertained by daily rumours as wild and extravagant as they are inconsistent and contradictory. I hope we may soon have an end of this state of uncertainty, which damps our exertions, and retards our measures.

"The removal of the main body of the troops from this position is an operation of great delicacy and interest; and it was therefore your presence here would have been more important than elsewhere.

"I am not authorised to abandon this useless occupancy, and therefore it must be maintained against the united British force in its vicinity; to secure the end, and nothing must be hazarded, will require a serious drain from our best troops, which enfeebles our too feeble force for the main attack. The head of the militia under M'Clure, has not yet shown itself: when it does (if in any reasonable time), and we have conferred, I shall be better enabled to develope the intricate path before me. But in the mean time, alas! sir, the season will, I fear, be lost.

"The Indians enter into our views with great zeal, and I look for a corps of at least five hundred men in eight days; whether to relieve De Rottenberg of five or six hundred of his effective men, before I turn my back on him, will be determined by considerations of policy in relation to our red allies and the militia, and the fate of our squadrons. The enemy profess to day a total ignorance of the occurrence of an action between the squadrons.

"In the course of sixteen days the enemy have lost sixty-five men by desertion, we barely six. We count 4600 on paper, and could show about 3400 combatants. The enemy, from the best information we have, have about 3000 men on paper, of whom, 1400 are sick. Shall I make a sweep of them or not, at the hazard of our main object? Not unless that main object is jeopardised by the fate of our squadrons —it would require an operation of three weeks; but my views are forward, and I shall not abandon the prospect while a ray of hope remains.

"I have received your letters to the 6th from Sackett's Harbour, and thank you for them. For your comfort, the

men here are gaining health, and, with their officers, breathe an ardent spirit for combat."

Extract of a Letter from Major-General Wilkinson to the Secretary of War, dated

Dear General, *Fort George, Sept.* 18, 1813.

Accidents detained the express last evening, and gives me an opportunity to drop you another line.

Not a word more of Chauncey; what has become of him? I pray you to decide, whether I am to move, with or without any further knowledge of the squadron. From the inclosed No. 2, it would appear that the enemy expect tranquil winter quarters in this neighbourhood, for the number of barracks proposed to be built will not receive more than 1400 or 1600 men, including guards, ordinary and extraordinary, stow them as you can; but shall I have the enemy within four miles of this place, making a wide investiture of it from Queenstown to Four Mile creek; or shall I break him up? with our prospects the decision is embarrassing; change them to the abandonment of the chief design, and our course is direct, viz.: to take possession at Burlington bay, and cut up or capture the whole division in this quarter, which may be estimated at 3000 regular troops. I pray you to deliberate on these points and give me your advice without delay.

I have despatched an express to for general M'Clure, of whom I have heard nothing since my last; but to supply the defect of his silence, the inclosed copy of a communication from a committee of which P. B. Porter is chief, will fully suffice. I have responded in the most courteous terms, making reference to you for your determination on the momentous occasion, as you will perceive from my answer. Now let me intreat you to weigh these propositions, to take into consideration the possible failure of the militia, and the substitution in such case of these volunteers; for in the present crisis, we should, if possible, render "assurance doubly sure." The letter of David Rodman (a stranger) is also transmitted for consideration: let me have your answer, and tell me how to act as speedily as possible, I beseech. The boats from Oswego have not yet arrived.

I am feeble to childhood, but shall look at the troops in battalion on Tuesday.

Truly yours,

JA. WILKINSON.

The honourable John Armstrong, Secretary of War.

Sir, *Fort George, Sept.* 18, 1813.

I am ordered by general Wilkinson to forward the inclosed papers. One, a letter from a committee of three, of which P. B. Porter is the first; and the other a letter from Daniel Rodman, the organ of an association of residents in and near Canandaigua.

I have the honour to be, your most obedient servant,

H. LEE, jr. *Major of Infantry, and Aid de Camp to Major-General Wilkinson.*

The honourable J. Armstrong, Secretary of War.

Sir, *Black Rock, Sept.* 17, 1813.

In consequence of encouragements from general Boyd, that a general and decisive movement was about to be made by the army, and that an additional force was desirable, we repaired to fort George about five weeks ago with 500 men, consisting of volunteers, militia, and Indians. Most of us remained there for twelve or fourteen days, but our hopes not being realized, the men continually dispersed and went home, not however without expectations, again encouraged by generals Boyd and Williams, that we should be shortly called on again to aid in operations, which the people in this part of the country, so long harassed by the calamities of war, feel so strong an interest in forwarding. Under similar expectations, many of our friends in the interior have intimated to us their readiness to join with respectable reinforcements on the shortest notice: and we are informed that one company, about 70 strong, is actually on its march, and will arrive here to-day or to-morrow.

We are at this moment much at a loss how to act, and our difficulty is increased by the various rumours and conjectures circulated by the different officers daily arriving from headquarters, some of whom represent that no offensive operations are to be undertaken on this frontier, but that the regular army is immediately to be marched, either to the east to attack Kingston, or to the west to join general Harrison. Others state that an attack is to be made on the British forces in the vicinity of this place.

Under these circumstances, we are induced to inquire of you whether such a force as we have it in our power to raise is desired by you to effectuate your plans, and if so, in what numbers, and at what time? If your object be to sally out upon the enemy at fort George, we could bring you a respectable force. But, on the contrary, if you meditate an attack at some other point, and the withdrawal of the regular troops

from fort George, and placing this frontier on the defensive only, by means of militia, we would observe that our prepared force is of such a character as could not be engaged in this service.

Upon the supposition that you intend to withdraw the regular troops from this frontier, we beg leave to submit a proposition for your consideration.

We believe we are not incorrect in saying that it would require nearly quite as great a force to defend this line of frontier against a given force of the enemy, as it would to attack and subdue that enemy. Sir George Prevost has ordered the militia of the upper province to be called out en masse. They are to assemble on Saturday next. And if, after your departure, the enemy opposite here should take it in his head to retain all his regular force, and play off his skill against the inexperience of our militia, we might have occasion to fear a repetition of former scenes in the present war.

Our proposition (in case of your leaving this place) is, that we be permitted to raise between this and the first of October a volunteer force of from 1000 to 1200 men, exclusive of Indians. That we add to it as many of the militia stationed on the lines as may be willing to join us. That we be furnished with a small train (say 4 pieces) of field artillery, with experienced officers and men to fight them; and that with this force we be authorised to invade the enemy's country.

Should you think proper to confer such an authority on us, and direct that the volunteers shall be furnished with arms, ammunition, provisions, &c. and receive pay while in actual service, we pledge our lives that before the close of the season we will occupy the whole of the valuable and populous peninsula opposite this river, and either capture, destroy, or disperse all the enemy's force in this quarter.

You may perhaps make it convenient to send an answer by the bearer, captain Hall.

We are, sir, most respectfully, your obedient servants,

PETER B. PORTER,
CYRENIUS CHAPIN,
JOSEPH M'CLURE.

Major-General Wilkinson.

Sir, *Canandaigua, Sept.* 14, 1813.

A large number of patriotic citizens of this and the adjacent towns, anxious to do their duty in a crisis so interesting to the nation in general, and to this part of the country in particular, have associated themselves to volunteer their

services to the United States for the *residue* of the campaign *at least.*

In order to effectuate their intentions, however, it will be necessary that their movements should receive your approbation and sanction, and that they should be assured of, that the corps, whether a company, battalion, or (as is possible) a regiment, should be received, organized, and countenanced by your order and authority. The lateness of the season and the anxiety of the members induce us to request an early and authoritative reply, that the association may be equipped according to law, and be useful to their country this season. It may not be hardly decorous for us to say it, but we must observe that the subscribers will prove to be obedient and brave soldiers.

In their behalf, I am, respectfully, your obedient servant,

DANL. RODMAN.

Major-General Wilkinson, or officer commanding fort George.

Gentlemen, *Fort-George, Sept.* 18, 1813.

Your letter of yesterday, which reached me last evening, gives you a claim to my acknowledgments, and to those of your country. But as I am altogether unauthorised by law or instruction to sanction your plan for the levy of a body of volunteers, and as your anticipations, propositions, and suggestions embrace a range and a character upon which I have neither right nor authority to deliberate, I have considered it my duty to transmit a copy of your letter to the secretary of war, now at Sackett's Harbour, by express, for his deliberation and decision.

I hope he may find it convenient and proper to meet your views, and have only to add, that you shall be advised of his answer without a moment's delay, after it may reach my hands.

With high consideration and respect, I have the honour to be, gentlemen, your most obedient servant,

JA. WILKINSON.

To Peter B. Porter, Major Cyrenius Chapin, and Joseph M'Clure.

Dear General, *Sackett's Harbour, September* 18, 1813.

Our information from the other side of the lake amounts to this: Prevost goes to Montreal. The whole regular force in Kingston consists of ten companies of De Waterville's regiment, that at Prescott of two companies of the same corps, and about forty artillerists.

De Waterville's regiment was made up in Spain, is composed of Poles, Germans, Spaniards, and Portuguese, and completely disaffected. What a precious moment my friend is this.

The commodore was brought back to us yesterday by adverse winds. He goes this morning—let not the great objects of the campaign be hazarded by running after Yeo: these accomplished his race is run. Kingston, or the point below seized, all above perishes, because the tree is then girdled.

In speaking of your artillery you do not include the guns taken at fort George, and which will be necessary for its defence. A small garrison will be sufficient against *assault:* siege we need not dread. It is already too late to live in trenches. Porter (of the artillery) would do well to command the place. Tell him from me he is a brigadier by brevet.

The means of transportation are now with you, hasten your march, and may God bless you in all your enterprises.

Yours, truly and always,

General Wilkinson. JOHN ARMSTRONG.

Extracts of a Letter from Major-General Wilkinson to the Secretary of War, dated September 20th, 1813.

I am well again, and that's a good thing, for I have been during my sickness somewhat of a *smellfungus.*

Now indeed would be a fine time to slip into the St. Lawrence if Chauncey could keep sir James blockaded above Kingston and command the river below at the same time, and our preparations were completely matured, but it is an herculean task to extract order from chaos. No time has or shall be lost on my part; but we cannot, when prepared at all points, controul the winds—It was last night only the transports from Oswego arrived; and if I am not hardly opposed by weather, I hope I shall have 1000 men afloat by the 26th, and complete my embarkation on the 30th, after which, until we reach Grenadier Island, I must look to our squadron and the heavens for safety.

Chauncey tells me he is liable to be blown off from his station, and in such case sir James may slip out by him, but promises to follow him. It is material, to prevent the enemy from following and cutting our rear, that some competent force should take post on the St. Lawrence below Kingston; and I pray of you to make this arrangement with Chauncey. Before I left Sackett's Harbour, I ordered a dozen slip keel-

ed boats, to carry fifty men and row 30 oars, to be armed with a light cannon in their bow.

This armament is to sweep the St. Lawrence of the enemy's gun boats, and to take post in advance when and whereever it may be adviseable. I beg you, if necessary on your part, to give effect to this order.

We have just received advice confirmatory of a naval combat on lake Erie, in which it is said Perry has taken the whole British squadron on the 10th instant, and brought the vessels into " Putney harbour at the islands"—his own vessel, the Lawrence, barely capable of being floated. The action lasted six hours. This will cancel your news from our commodore.

The inclosed letter from general M'Clure breathes a good spirit, but he will not be up for several days. In the mean time I shall prepare his *orders*, to be ready to give him the command.

A body of horse, a small one at that point where the fate of the island is to be decided by combat (for believe not that we shall get possession of Montreal without a battle), will be invaluable. Burn has been ordered hence some time before my arrival, to recruit his cavalry and prepare them for action, and I shall order him by express to-morrow to incline by indirect dilatory marches towards Hamilton, there to look for further orders, somewhere about Antwerp or that quarter. From Denmark or Champion he is to advise the commanding officer at Sackett's Harbour of his movements.

De Rottenberg is under the full belief that I mean to attack him, and I shall keep up the delusion as long as possible.

The snail's pace of the reinforcements approaching this division, and pardon me, their direction and route, occasion me surprise. Of what avail will be the detachments under colonels Randolph and Coles*, which are, I learn from Washington, on their march to this place, where they cannot, or will not arrive before the 15th proximo. If these detachments had been ordered on by all the available water communications from Annapolis to Albany, they could have reached Sackett's Harbour in season, and a column of 800 men would have been found an important desideratum in our impending operations. Where also are the 1000 men reported to me by colonel Duane as being ready for march before I reached Philadelphia? I must hope near Sackett's

* These corps arrived in time.

Harbour. I put these questions to you that I may apprise you of facts, that you, with whom it rests, may apply the remedy, for I find we possess little military subordination or respect, and that a chief of an army is obeyed more from courtesy than principle or professional obligations.

I send this by the privateer Fox to commodore Chauncey, with a request that he accelerate its progress to you. *This place* neither stops a gap, extends our possessions, nor covers or protects a country; *it is good for nought*, but to command the ground it occupies, and therefore I shall *dismantle* and *abandon it.*

Extract of a Letter from the Secretary of War to Major-General Wilkinson, dated Sackett's Harbour,

Dear General, *September* 22, 1813.

Your letters of the 16th, 17th, and 18th instant have been this moment received; I hasten to answer them. The main object must be prosecuted; Chauncey is not broken down; he can and will command the lake, and while he does so, our position at fort George may be maintained. If the enemy's sick list amounts to one thousand four hundred out of three thousand, the enemy can undertake nothing with effect. In this view of the subject, *close with P. B. Porter's proposition*, made in the following words, viz.: "Our proposition (in case of your leaving this place) is, that we be permitted to raise, between this and the 1st of October, a volunteer force of from one thousand to one thousand two hundred men, exclusive of Indians; that we add to it as many of the militia stationed on the lines as may be willing to join us; that we be furnished with a small train (say four pieces of field artillery with experienced officers and men to fight them) and that with this force we be authorised to invade the enemy's country.

Rodman's corps may join Porter. Any volunteers you may have with the army, whose times are near expiring, and who are desirous of continuing in service, may do so also. We will cover the whole by a requisition upon governor Tompkins for additional militia.

The enemy's fleet have left the Chesapeake, I believe for Halifax, whence the land troops are to be sent into Canada: another motive for quick movements.

My last letters by Chauncey of the 18th or 19th gave you all we yet know. Prevost has left Kingston, it is said, for Quebec; more probably for Montreal.

Yours, faithfully and ever,

JOHN ARMSTRONG.

Dear sir, *Niagara, September* 27, 1813, 6 *o'clock, A. M.*

I received, at eight o'clock last evening, your interesting letter of the 22d, and shall employ its authorisations to the best possible effect.

Fifteen hundred men were embarked with orders to sail the day before yesterday, but a strong easterly wind has made it impossible to move.

The whole force, say three thousand combatants, after deducting the garrisons of fort George and Niagara, were ready for embarkation yesterday, and as the weather is serene at this moment, I hope the whole may be able to move at dusk this day: I say at dusk, because I am desirous to keep my neighbours under a delusion as long as possible; they are perplexed as to my intentions, and will not be able to penetrate them before they have discovered the course of my flotilla.

I have authentic information from York the evening of the 24th instant. The brigade of militia in the vicinity were required to assemble the 25th, and six hundred men of the 41st and 49th regiments, second battalion, were daily expected there on their route to this neighbourhood: this is good; and still better, three spacious block-houses are ordered by sir George to be erected at York.

But, sir, here is one drawback; the tantalizing sir James Yeo was in shore with his fleet, on the evening of the 24th (Friday), about twenty-eight miles east of York. Where he is now, we know not, for he has not since been heard of, and Chauncey is just sending out the Lady of the Lake and the Neptune to reconnoitre York and the coast in that quarter. What may be the views of the knight? to gasconade, to retard my movement, or to enable De Rottenberg to follow me? I am unable to divine, but will not be longer delayed, and, therefore, shall be twenty miles to the eastward before to-morrow morning, should the weather permit. If sir James can be discovered, Chauncey will seek him, otherwise he will sail with me to cover my left flank.

As we have not a moment to lose, I shall proceed directly to Grenadier* Island, writing you and sending orders to the commanding officer by a despatch boat, en passant.

After all, we are so straitened for transport, that we shall not find room for more than fifteen days provisions; indeed, we have little more to spare from this position, and there-

* I had determined on this point of rendezvous before I heard from general Brown.

fore, our sole dependence must be on the magazines at Sackett's Harbour, of which the contractor should be personally advised. Heaven protect you.

Truly yours,

JA. WILKINSON.

Honourable John Armstrong, Secretary of War.

Dear Sir, *Fort George, October* 2, 1813.

Since my last of the 17th I have had difficulties, perplexities, and anxieties sufficient to discompose a saint.

Commodore Chauncey having ascertained that the British squadron was on the opposite coast agreeably to the information I had given him, left port on the evening of the 27th to look for it; on the morning of the 28th we discovered our squadron off this place about mid channel, and standing for the York shore; about 12 o'clock, though very distant, we discovered it was warmly engaged, the enemy to leeward and scarcely discernible; we could, with our glasses, distinguish the Pike firing both her batteries, and frequently enveloped in smoke. The enemy was forced towards the head of the lake, and about 3 o'clock we lost sight of our sternmost vessel, the action still continuing. From that period until yesterday morning I was kept in suspence as to the issue of the action, the wind blowing a gale from the south-east, and producing such a swell as made it impossible for our privateers to keep the lake, and of course my flotilla was confined to port with the troops, either on board or encamped on the beach. The evening before the last, our whole fleet (alone) were discovered beating down the lake: in the course of the night they came to off Four Mile creek, and yesterday morning the commodore presented himself. Our observations on the action were in main correct, except that the battle was fought by the Pike alone (or next to it), who having carried away sir James' mizen and main-top-masts, his squadron bore up to protect him, and Chauncey was engaged with the whole. Unlucky fellow, he could have taken a schooner and a brig, but his eyes being fixed on the commodore, he could not look at smaller game. Finally, sir James, as usual, ran away; was chased to the head of the lake, came to anchor close in shore; and the gale and tremendous sea threatening, in case of a continued action, to put both squadrons on shore, sir James with the British force assembled there, and Chauncey into the hands of the enemy, he clawed off and came down to confer with me; he has my opinions in writing, and I expect his answer this morning.

Early yesterday, before I had heard from the commodore, the wind, for the first, becoming favourable, I despatched all my batteaux, and as soon as I had ascertained sir James Yeo's situation, our sail boats followed; but, alas, before 1 o'clock the wind again came round to the south east, and several of our schooners returned, though a majority of them, and the whole of the batteaux, proceeded, and I hope reached Eighteen Mile creek.

I have been detained by the arrival of about 350 Indians, to whom I was obliged to give an audience and a talk, and I lodged in this place to see whether the enemy might look at it, and what would be the conduct of the garrison of 690 militia and 800 regular troops, under the command of colonel Scott. We have just had an alarm, and being myself among the first on parade, I have witnessed a scene by which I shall profit Scott, before I leave him, which will be in a couple of hours, as, thank Almighty God, the wind again breezes, though it has rained all night, and still continues to rain. Oh, if it may please God to favor us with this breeze we shall soon be near you, but it is in his power, by adverse winds to delay, and by tempests to destroy us. I move with about 3500 men. Farewel, and God preserve you.

JA. WILKINSON.

The honourable John Armstrong.

Extract from the Journal of the Secretary of War.

"4th October, 1813. General Wilkinson arrived at Sackett's Harbour on this day from fort George. He immediately visited the secretary of war, in company with generals Lewis and Brown, and in the presence of these officers remonstrated freely and warmly against making an attack on Kingston—urging the propriety of passing that post and of going directly to Montreal.

"The secretary of war differed from general Wilkinson in opinion, but thought his objections worthy of consideration, and proposed a meeting on the day following for that purpose.

"The meeting took place accordingly, when general Wilkinson presented the paper marked No. 1. That marked No. 2, was presented by the secretary, and the opinion with which it closes was adopted as that which should regulate the movements of the army.

No. 1.

Reasons for attacking Kingston *anterior* to a descent upon Montreal.

1st, We shall capture a garrison of 800 or 1000, and demolish a strong hold of the enemy.

2d, We shall destroy his naval depot and magazines of every species.

3d, We shall by this operation diminish his force, destroy his resources, and place the division at the head of the lake, under de Rottenberg, in great difficulty and distress; and

4th, We shall destroy every naval resource, and of consequence prevent the building, equipping, and even repairing a single vessel.

Against this attack it may be urged:

1st, That the reduction of the place may cost more time than we calculate on.

2d, It may encumber us with wounded and sick; and

3d, It is possible the British squadron may as heretofore elude commodore Chauncey, and find us before Kingston, or overtake us on the St. Lawrence.

In the first place, from the lateness of the season, the loss of a few days may expose us to the autumnal rains, and jeopardise the chief object of the campaign. In the second place, our own force will be diminished, and our movements retarded; and

In the third place, the chief object of the campaign, *the capture of Montreal*, will be utterly defeated, and our own army subjected to great difficulties, losses, and perils.

Submitted to the honourable the secretary of war.

JA. WILKINSON.

No. 2.

1st, The Niagara division will probably arrive here in a day or two.

2d, The weather is yet good, and the lake navigable by scows and boats.

3d, The enemy's main force is in the neighbourhood of fort George, and his fleet at the head of the lake.

4th, The garrison of Kingston does not exceed 800 or 1000 men.

5th, If we effect a landing at M'Pherson's farm, on the eastern side of Kingston, a point may be seized, which will command the town, the forts, and the harbour; and within seven hours after the landing is effected a sufficient battery may be erected and in operation.

6th, Nine and 12-pounders will be sufficient for burning block-houses, &c. and may be dragged by the men.

7th, The time necessary to reduce the place will not ex-

ceed a single day, and of course will not materially interfere, on that account, with our object below.

8th, The loss we may sustain can only be conjectured. Judging from that at fort George, where the enemy were more numerous, it will be inconsiderable.

9th, The advantages of taking Kingston are two: you sever the enemy's line of communication, and you expel him from his only secure harbour.

The premises assumed under the 1st, 2d, 3d, 4th, and 5th heads may change, and our conclusions with them. The only safe decision therefore is, that if the British fleet shall not escape commodore Chauncey and get into Kingston harbour; if the garrison of that place be not largely reinforced; and if the weather be such as will allow us to navigate the lake securely, *Kingston* shall be our first object, otherwise, we shall go directly to *Montreal.*

JOHN ARMSTRONG.

Sackett's Harbour, 5th October, 1813.

Dear General, *War Department, October* 9, 1813.

Does there exist between you and the commodore a clear and distinct understanding on the subject of our plan of operations, and the kind and degree of assistance he will be able to give to its execution? Can he take a position which shall have the effect of shutting in Yeo, and of covering our descent upon Kingston, and our subsequent movement down the St. Lawrence? Is it not probable that a part of the enemy's fleet will, immediately on our appearance at Grenadier Island, occupy the passages of the river? If we can be covered in going to our first object, and should attain that, we may be able to dispense with further naval assistance; but should we fail (a contingency, which being possible, ought to be regarded) naval aid will be necessary to the prosecution of the second part of the plan. As the fleet is wind-bound, and the commodore here, explanations on these points may be readily and conveniently given. Let me know the result, and believe me

Yours, truly,

Major-General Wilkinson. JOHN ARMSTRONG.

Dear Sir, *Head-Quarters, Sackett's Harbour, Oct.* 9, 1813.

The commodore and myself have hitherto understood each other perfectly, and I think we shall harmonize to the end. He is ready to sail the moment the wind serves; and you may rest assured that nothing essential to give effect to the

operations of the army under my command, and to accomplish the views of the government, has been or shall be omitted.

Respectfully and truly yours,

JA. WILKINSON.

Honourable John Armstrong, Secretary of War.

Extract of a Letter from General Wilkinson to the Secretary of War, dated

Head-Quarters, Sackett's Harbour, October 18, 1813.

"The diminution of our force by disease and various casualties, and more especially, the uncertainty of the period of our movement against Montreal, render it necessary, in my judgment, that you should revoke the order of march you have given to major-general Hampton, and that he should be directed to march for Morrisville, as rapidly as may be consistent with the health of his troops. This proposition is founded on the presumption that we make the reduction of Kingston and the conquests of the upper provinces, the first objects of our operations."

Sir, *War Department, October* 19, 1813.

I received your letter of yesterday, and should have answered it more promptly, but that business of the south and west required my immediate attention.

When on the 4th instant you returned from fort George, we had the prospect of a speedy concentration of our forces at this point; the Niagara division had sailed on the 30th ult. the enemy's principal force occupied a cantonment between lakes Erie and Ontario; his fleet was at the head of the lake, and his garrison at Kingston, reduced to *seven* or *eight* hundred men. *Under these circumstances*, it was no doubt wise to decide as we did, that our first attack should be carried against that place: but do these circumstances any longer exist? The expected concentration is but now effected (18th October), a reinforcement of 1500 men has been thrown into Kingston; the British fleet has got into port there, and our force, from disease and other casualties, is, according to your statement, diminished and diminishing. To reinstate and augment this, it is now proposed to order general Hampton from his present position at Chateaugay to Morrisville, on the St. Lawrence. These places are distant upwards of one hundred miles. A march of such length at this season of the year, and in the present condition of the roads, loaded as he is with a train of artillery, with means of

subsistence, and with tents and baggage, cannot be performed under fifteen days, to which must be added the time necessary for giving the order for making the arrangements preliminary to such a movement, and for making also the subsequent one from Morrisville to the mouth of the Gaunanoqui river; all of which would probably protract the moment of junction till the 15th of November.

Admonished as we are by the storms which have assailed us for ten days past, and which have not yet ceased, I cannot but think that a period so late would of itself be fatal to the project.

Other circumstances lead to the same conclusion. Beginning our operations from the mouth of the Gaunanoqui river we shall have a march of twenty-four miles to Kingston, and through a country covered with woods, destitute of inhabitants, and pervious only by two roads, which, without any interruption from the enemy, are represented as nearly impassable at present. This movement (unlike that originally projected*) cannot be made without the aid of horses, and a less number of these than six hundred†, including the 2d regiment of dragoons, is, I understand, deemed insufficient. Now these must be fed, and their provender drawn from *this place*, as the country between Gravelly point and Pultneyville, affords none, and interposes a swampy desart which shuts us out from the supplies of Rossie and Rayville, &c. An important question arises here—can the necessary forage be obtained from this neighbourhood? the quarter-master-general says "it cannot, that it must be carted from Lowville (40 miles distant) and transported hence by water." These facts, on your plan, menace our operations against Kingston with a delay, which would probably surround us with all the embarrassments of a Canadian winter, and extinguish every hope of grasping the other, the safer and the greater object below. I call it the safer and greater object, because—

At Montreal, you find the weaker place, and the smaller force to encounter: at Montreal you meet a fresh, unexhausted, efficient reinforcement of four thousand men: at Montreal, you approach your own resources, and establish between you and them an easy and expeditious intercourse: at Montreal, you occupy a point which must be gained in carrying your attacks home to the purposes of the war, and which if seized *now*, will save one campaign: at Montreal, you hold

* A descent at M'Pherson's farm two miles and a half below Kingston.
† Forage for this number was required by the general.

a position which completely severs the enemy's line of operations; which shuts up the Ottawa as well as the St. Lawrence against him, and which, while it restrains all below, withers and perishes all above itself.

These, general, are the thoughts which present themselves on your proposition, and which I understand as abandoning, for this campaign, the proposed attack on Montreal. I am entirely disposed to listen to all that can be said on the other side of the question, but at present, the reasons assigned, leave me no doubt of the policy of pursuing, promptly and firmly*, the plan already indicated, and which, besides the approbation of the president, has received the sanction of a council of war†.

I am, very respectfully, sir, your most obedient servant,

Major-General Wilkinson. JOHN ARMSTRONG.

Head-Quarters, Sackett's Harbour,

Dear Sir, *October* 19, 1813.

I was about to embark for Grenadier Island, when I received your letter of this morning, which I will endeavour to answer; my very feeble condition and the want of time for reflection, disqualify me from doing full justice to my opinions.

You will recollect that in my letter of the 6th of August, I proposed to take Kingston, as preliminary to an attack on Montreal; you offered a different opinion in your letter of the 8th, and on my arrival here, I submitted the alternative to a council of war, which decided in favour of your plan, to

* This refers to the preceding plan, approved by the president on the 23d July, and communicated to general Wilkinson on the 5th of August.

† This council consisted of generals Wilkinson, Lewis, Brown, and Swartwout, and commodore Chauncey. The opinion was unanimous.

Note.—Before the secretary of war left Sackett's Harbour, and while it was deemed practicable, and was intended to carry our attacks against both Kingston and Montreal, he had one or more conversations with commodore Chauncey, on the general subject of naval co-operation.—These had particular reference to two points, the place of landing (in case Kingston was the object of attack) and the *degree* of *protection* which the fleet could be able to render to the debarkation of the army. The places of descent indicated by the secretary were three:

1st, M'Pherson's farm, two miles and a half *below* Kingston.

2d, The mouth of the Little Cataraqui, four or five miles *above* Kingston; and,

3d, The mouth of the Gaunanoqui river, twenty-four miles *below* Kingston.

The commodore's answer was substantially as follows: that he would not take upon himself the responsibility of covering the landing of the army at the *first* of these points, but that he would cover its landing at either of the other two.

leave Kingston untouched, and proceed directly against Montreal; but ulterior considerations and *information** have induced me to adhere to my original plan.

Permit me, previous to the discussion of the grounds of my opinion, to submit a few incidental remarks.

It is extremely doubtful what may be the present force of the enemy at Kingston, and very uncertain how much our own force may have been diminished by disease, and the casualties attending our movements.

From the retreat of Proctor before general Harrison, and the information received from colonel Scott, I think it probable that De Rottenberg, with the effectives of his division, has gone to reinforce Proctor, and that the troops which have descended to Kingston consisted only of the sick of that division.

My idea of recalling general Hampton to reinforce us, was produced by an alarm with respect to the insufficiency of our force, which I found spreading; and the direction which I suggested was founded on your own proposition† of the 13th instant, at which time I understood you to offer the opinion, that the march from Hampton's encampment to Morrisville might be accomplished in six days, and my own opinion is, that by disembarrassing himself of his artillery and its attirail, perhaps he might be able to make the march in that time, or a few days more.

My reasons for preferring the attack of Kingston to that of Montreal, are these:

By the reduction of that place, we conquer a province, not only of great importance to the enemy, but a valuable acquisition to ourselves: we capture or destroy four thousand of his best troops; we put an end to the Indian war, and by the destruction of his naval force, establish our command of the lake, and permit a respectable part of our naval force to be employed elsewhere.

On the contrary, leave Kingston, its garrison, and the British squadron in our rear, and proceed to Montreal, none of those important objects will be gained. The enemy will remain in undisturbed possession of the province, at liberty to exercise his enterprise against this frontier at discretion; for

* This ulterior information was not communicated to the secretary of war.

† What is here called a *proposition* was but a question, *whether the march could be performed in six days?* General W. answered in the negative, and advised that general Hampton should be ordered to go on to Cognawauga.

it is a fact, however, opinions may vary, the resources of the province are adequate to the subsistence of his army. His naval superiority on the lake will be re-established by the opening of the spring, the Indian depredations may be encouraged and continued; or should he prefer it, he may, on the opening of the campaign, leaving sir James Yeo triumphant on the lake, with a suitable garrison for the protection of Kingston, descend the St. Lawrence with his main force, and fall upon our rear, while we shall be engaged in front, admitting we succeed in establishing ourselves at Montreal.

Having passed Kingston, the fortifications at Prescott may present such an obstacle to our further progress, as to compel us to land and reduce it by force; an operation which may consume more time than can be spared at this advanced season. I speak conjecturally, but should we surmount every obstacle in descending the river, we shall advance upon Montreal ignorant of the force arrayed against us, and in case of misfortune, having no retreat, the army must surrender at discretion.

I will barely add, that as the winter commences at Montreal by the 20th of November, should we be delayed in the route by any untoward incidents, our embarrassments and perils will be greatly multiplied.

I offer these results of my frail judgment with a conscientious regard to the public good. I am bigotted to no project, and therefore am willing to yield my own judgment to that of others.

Personal considerations would make me prefer a visit to Montreal to the attack of Kingston; but before I abandon this attack, which by my instructions I am ordered to make, it is *necessary to my justification*, that you should by the *authority of the president*, direct the operations of the army under my command, *particularly against Montreal.*

With my earnest wishes for the successful issue of whatever may be undertaken, I am, dear sir, with much respect and esteem, truly yours,

JA. WILKINSON.

The Honourable John Armstrong, Secretary of War.

N. B. All the objections which apply to the landing below Kingston may be obviated *by* landing above it. My sole motive for suggesting the idea of landing below, was to prevent the *garrison's escape*. If there be a deficiency of forage on our part, it is the fault of the quarter-master-general, who

was instructed as early as August, to lay in a supply of twelve thousand bushels for the subsistence of the cavalry.

JA. WILKINSON.

Honourable J. Armstrong, Secretary of War.

Endorsement on the preceding Letter, by the Secretary of War.

NOTE. If we look at the plan of campaign of the 23d of July, we find that it proposed an attack on Kingston, and even indicated the mode of that attack. If we examine general Wilkinson's letter of the 6th of August, we find that he provisionally adopted that opinion; and if we refer to the letter of the secretary of war of the 8th, so far from expressing a *different opinion*, we discover that it instructed the general to *choose* between a *direct* and an *indirect* attack on that post. It was not therefore any *difference* of opinion between the secretary and the general that was submitted to the council of war, as stated in the preceding letter, but the mere *alternative* presented by the instructions of the letter, the simple *choice* between the two modes of attack.

Sir, *War Department, October* 20, 1813.

I received your letter of yesterday by major Lee. You appear to have written it under an impression, that your instructions of August last made a direct attack upon Kingston unavoidable. A copy of these instructions is before me, and in the last paragraph of them we find a summary of their substance. It is as follows: "After this exposition, it is unnecessary to add, that in conducting the present campaign, you will make *Kingston* your principal object, and that you will *choose*, as circumstances may indicate, between a *direct* and an *indirect* attack on that post." Both modes of attack are slightly detailed in these orders, and a preference given to the latter, but without at all infringing your right of choice, or in any degree lessening your responsibility. *Nor am I now at liberty to change the ground of these instructions*, since the only effect of this would be, *to substitute my opinion for yours*. The former has not however been withheld; it has been given freely and fully, and is yet unshaken by any consideration presented to my mind.

As we are now about to part, it may be proper that I should subjoin to what I have said in favour of a movement on Montreal, a short statement of my objections to a direct attack on Kingston.

1st, If its garrison consists of *four thousand* of the best troops of the enemy (as you suggest), your attack will fail.

2d, If your attack fails, your retreat is impracticable.

3d, Your descent must necessarily be made above or below the town, on the water's edge, and within a short distance of your object. If made *below* the town, your fleet cannot cover it*: if made *above* the town, it must be done in presence of the enemy, and within stroke of his fleet, and that he will think the object sufficient to justify the risk cannot be doubted. Besides, an approach on this side, however successful, leaves to the enemy the means of escaping.

4th, The experiment already made of the lake navigation is not encouraging. Though pressed by no enemy other than the weather, the army has not been able to reach Grenadier Island, but in broken order, and with considerable loss. On your plan, they have eighteen other miles to go on the open lake, and much of this distance under the eye of the British fleet. Is it probable that our *scows* will be able to navigate this remaining distance (at a season and under circumstances so unfavourable) in better order and with less loss?

These are the best thoughts I can offer, and it only remains to add to them my best wishes for your army and for yourself.

JOHN ARMSTRONG.

Major-General Wilkinson.

Lady of the Lake, off Sackett's Harbour,

Sir, *October* 24, 1813.

I was at Grenadier Island the day before yesterday, and found the troops dropping in so slowly, that I determined to return, hunt them up, and quicken their movement. My presence at the Harbour was also necessary to have clothing selected to cover numbers of our naked men.

I will say nothing of the horrid condition in which that place was left. Colonel Coles has arrived with upwards of two hundred good men, and expects about eighty more today. Randolph and Scott are expected at Oswego, nine hundred strong. I have contrived to rig and send off vessels to bring up six hundred of them in season for my movement from Grenadier Island, which will not be delayed one instant unnecessarily. The people at Kingston appear to be much affrighted, firing their alarm guns on the slightest appearance. J. N. has returned, and if he may be credited,

* Commodore Chauncey declared he would not take the responsibility of covering the descent of the army if made at M'Pherson's farm, *below* the town.

De Rottenberg has not arrived, and all the force they can spare is sent down the river to take possession of, and fortify some critical passes. My health continues, unfortunately, bad.

I have the honour to be, most respectfully, sir, your obedient servant,

JA. WILKINSON.

Extracts of a Letter from Major-General Wilkinson to the Secretary of War, dated Grenadier Island, October 28, 1813.

"I send you this by an extra aid de camp, captain Nourse, to relieve the anxiety to which you must be subject, in the impending eventful moment."

"The extent of the injuries to our craft, the clothing and arms of the men, and to our provisions on the passage from Sackett's Harbour to this place, greatly exceeded our apprehensions, and has subjected us to the necessity of furnishing a supply of clothing, and of making repairs and equipments to our flotilla generally. In fact, all our hopes have been very nearly blasted; but thanks to the same providence which placed us in jeopardy, we are surmounting our difficulties, and, God willing, I shall pass Prescott on the night of the 1st or 2d proximo, if some unforeseen obstacle does not present to forbid me. I shall expect to hear from you at Morrisville, where colonel Swift is to meet me, and to guard against chance shots, I wish waggons would be held in readiness to receive our powder and field ammunition, at a suitable distance above Prescott."

"I keep up the delusion here; and the enemy, about sixteen hundred strong, exclusive of five hundred militia, are in daily expectation of a visit at Kingston, yet they have taken post, I understand, at Cornwall and the Coteau de Lac.—No matter: once past Prescott, and our bayonets and sabres shall remove all impediments."

"The inexorable winds and rains continue to oppose and embarrass our movements; but I am seizing on every moment's interval, to slip into the St. Lawrence corps and detachments, as they can be got ready. Our rendezvous will be in Bush creek, about twenty miles below, and nearly opposite to Gaunanoqui, which position menaces a descent on the opposite shore. I shall sail from that position at four o'clock of the morning, and will pass Prescott about the same time the ensuing morning."

"We have had such a fluctuation of sick and well between this place and Sackett's Harbour, that it is impossible to say

in what force we shall move; but I calculate on 6000 combatants, exclusive of Scott and Randolph, neither of whom will, I fear, be up in season, notwithstanding all my arrangements and exertions to accelerate their march: they are both under provisional orders for Ogdensburg."

War Department, Denmark,
Dear General, *October* 30, 9 *o'clock, P. M.*

I this moment received your despatch by captain Nourse. I rejoice that your difficulties are so far surmounted as to enable you to say with assurance when you will pass Prescott. I should have met you there; but bad roads, worse weather, and a considerable degree of illness admonished me against receding further from a point where my engagements call me about the 1st proximo. The resolution of treading back my steps was taken at Antwerp, and communicated in a letter from that place by major Lush. I wrote a single line to you to-day, giving the fortunate issue of Harrison's business, and his arrival at fort George with M'Arthur's brigade. If Vincent be within the peninsula, Harrison will root him out. It remains with you to sweep the rest of the line before you. Montreal taken, what are Prescott and Kingston? Give Hampton timely notice of your approach, and of the place and hour of junction.

Major-General Wilkinson. JOHN ARMSTRONG.

Extracts of a Letter from Major-General Wilkinson to the Secretary of War, dated Grenadier Island, Nov. 1, 1813.

"You will perceive from the duplicate under cover (letter of the 28th of October) what were my calculations four days since; but the winds and waves and rains and snow still prevail, and we have made several fruitless attempts to turn Stoney point, one of them at great peril to three thousand men, whom I seasonably remanded to the harbour without the loss of a life. Our sick, one hundred and ninety-six in number, have not fared as well: they were embarked in stout comfortable vessels, and sailed the day before yesterday morning for Sackett's Harbour, but they were driven on shore by a storm, which continued with unremitting violence all night; and as no exertion could relieve them, I anticipated the loss of the whole; but the tempest having abated, and the wind shifted from S. W. to N. E., boats were sent out yesterday morning, and Dr. Bull reports the loss of three men only. Other means of transport will be provided to-

morrow, and these unfortunate men will be sent to the hospital at Sackett's Harbour."

"Brigadier Brown with his brigade, the light artillery, the riflemen, the volunteers, the gun-boats, Bissel's regiment, and a part of Macomb's, are, I expect, safe at French creek, with the artillery and ordnance stores. These corps have made the traverse of the arm of the lake under circumstances of great danger, though fortunately without the loss of a life, but at the expense of some boats."

"I shall wait one day longer, and if the passage should still continue impracticable to the troops, I will land them on the opposite shore, march them across the country to the St. Lawrence, and send the empty boats round to a given rendezvous."

"As major-general Hampton is under your orders, permit me to suggest to you what is worthy of reflection—whether he should take a position and wait the arrival of my command near the confluence of the St. Lawrence and Grand river, or whether he should move down the St. Lawrence and menace Chambly? If he is strong enough to meet sir George, the latter will be the preferable plan, because it will have the effect to divide the enemy's force; otherwise he should adopt the first idea, hazard nothing, and strengthen my hands."

"The inclosed copy of a memorandum from colonel Swift will show you what he is about, I flatter myself, to your satisfaction. The sole unpleasant circumstance before me, is our total ignorance of the *preparations* of sir George, and what we may expect to meet on the island. I fear no consequences; but it must be painful to lead more than six thousand men to battle hoodwinked; and yet all my efforts to procure intelligence from Montreal have proved fruitless."

Extract of a Letter from the Secretary of War to General Wilkinson, dated War Department, 1st November, 1813.

"Prevost will perhaps be found between the Coteau de Lac and the Isle Perrot. If wise, he will attempt to fight you before your junction with Hampton. Avoid this, leave nothing to chance that you can settle on your own terms. A junction with Hampton enables you to give the law."

Extract of a Letter from General Wilkinson to the Secretary of War, dated Grenadier Island, November 3, 1813, 7 o'clock, A. M.

"The troops and squadron are at last in the river, excepting Macomb's regiment, with which I shall join them by 10

o'clock, as the weather is propitious. Extreme illness, and the arrival of colonel Randolph with 230 men, kept me here last evening. We shall be encamped at French creek to-night; will take to-morrow for final organization and arrangement and the next day either pass or prepare to take Prescott; by preference I shall not disturb the place, because I have not time to spare."

(*Extract.*)

Dear General, *Albany, 12th November*, 1813.

My accounts from and of you are of the same date. Neither come down lower than the 8d instant. These left you with the reserve at Grenadier Island.

General Hampton has made a movement towards the St. Lawrence. After feeling and skirmishing with the enemy, he retired again to the Four Corners, until he had notice of your approach. I hastened to inform him by express (who would reach him in 48 hours) that you were in motion; that on the 5th you would pass or take Prescott, and that on the 8th you would be at Hamilton, whence he might expect to hear from you; that he must put himself again in motion, and take a position which would enable him to join you, or which should detain the enemy on the south side of the river. If Prevost, on learning your approach, quits his present position, and re-occupies the north bank of the St. Lawrence, Hampton goes on and joins you. If he remains on the south bank, he abandons Montreal, and even the road to his capital. In the fulness of my faith that you are in Montreal, and that you have both seen and seized on all the advantages that the errors of an enemy may have given you,

I am, dear general, cordially yours,

Major-General Wilkinson. J. ARMSTRONG.

Extract of a Letter from Major-General Wilkinson to the Secretary of War, dated French Mills, Nov. 15, 1813.

It is a fact, for which I am authorised to pledge myself on the most confidential authority, that on the 4th of the present month the British garrison of Montreal consisted solely of four hundred marines and two hundred sailors, which had been sent up from Quebec. What a golden, glorious opportunity has been lost by the caprice of major-general Hampton.

Head-Quarters, French Mills, adjoining the Province of

Sir, *L. Canada, November* 16, 1813.

I beg leave to refer you to the journal which accompanies

this letter, for the particulars of the movement of the corps under my command down the St. Lawrence, and will endeavour to exert my enfeebled mind to detail to you the more striking and important incidents which have ensued my departure from Grenadier Island, at the foot of lake Ontario, on the 3d instant.

The corps of the enemy from Kingston, which followed me, hung on my rear; and, in concert with a heavy galley and a few gun-boats, seemed determined to retard my progress. I was strongly tempted to halt, turn about and put an end to his teazings; but alas, I was confined to my bed. Major-general Lewis was too ill for any active exertion; and, above all, I did not dare suffer myself to be diverted a single day from the prosecution of the views of the government. I had written major-general Hampton on the 6th instant, by his adjutant-general, colonel King, and had ordered him to form a junction with me on the St. Lawrence, which I expected would take place on the 9th or 10th. It would have been unpardonable had I lost sight of this object a moment, as I deemed it of vital importance to the issue of the campaign.

The enemy deserve credit for their zeal and intelligence, which the active universal hostility of the male inhabitants of the country enable them to employ to the greatest advantage. Thus, while menaced by a respectable force in rear, the coast was lined by musketry in front at every critical pass of the river, which obliged me to march a detachment, and this impeded my progress.

On the evening of the 9th instant, the army halted a few miles from the head of the Longue Saut. In the morning of the 10th, the inclosed order was issued. General Brown marched agreeably to order, and about noon we were apprised, by the report of his artillery, that he was engaged some distance below us. At the same time the enemy were observed in our rear, and their galley and gun boats approached our flotilla and opened a fire on us, which obliged me to order a battery of eighteen pounders to be planted, and a shot from it compelled the vessels of the enemy to retire, together with their troops, after some firing between the advanced parties. But, by this time, in consequence of disembarking and re-embarking the heavy guns, the day was so far spent, that our pilots did not dare enter the saut (eight miles a continued rapid), and therefore we fell down about two miles, and came to for the night. Early the next morning every thing was in readiness for motion; but, having

received no intelligence from general Brown, I was still delayed, as sound caution prescribed I should learn the result of his affair before I committed the flotilla to the saut. At half past ten o'clock, A. M., an officer of dragoons arrived with a letter, in which the general informed me he had forced the enemy, and would reach the foot of the saut early in the day. Orders were immediately given for the flotilla to sail, at which instant the enemy's gun boats appeared, and began to throw shot among us. Information was brought me at the same time, from brigadier-general Boyd, that the enemy's troops were advancing in column. I immediately sent orders to him to attack them. This report was soon contradicted: their gun boats however continued to watch us, and a variety of reports of their movements and counter-movements were brought to me in succession, which convinced me of their determination to hazard an attack when it could be done to the greatest advantage, and therefore I determined to anticipate them. Directions were accordingly sent by that distinguished officer, colonel Swift, of the engineers, to brigadier-general Boyd, to throw the detachment of his command, assigned to him in the order of the preceding day, and composed of men from his own, Covington's, and Swartwout's brigades, into three columns, to march upon the enemy, out-flank them if possible, and take their artillery. The action soon after commenced with the advanced body of the enemy, and became extremely sharp and galling; and, with occasional pauses, was sustained with great vivacity, in open space and fair combat, for upwards of two and a half hours, the adverse lines alternately yielding and advancing. It is impossible to say with accuracy what was our number on the field, because it consisted of indefinite detachments taken from the boats to render safer the passage of the saut. Brigadier-generals Covington and Swartwout voluntarily took part in the action at the head of the detachments from their respective brigades, and exhibited the same courage that was displayed by brigadier-general Boyd, who happened to be the senior officer on the ground. Our force engaged might have reached sixteen or seventeen hundred men, but certainly did not exceed eighteen hundred. That of the enemy was estimated at from twelve hundred to two thousand, but did not probably amount to more than fifteen or sixteen hundred, consisting, as I am informed, of detachments from the 49th, 84th, and 104th regiments of the line, with three companies of the voltigeur and Glengary corps

and the militia of the country, who are not included in the estimate.

It would be presumptuous in me to attempt to give you a detailed account of this affair, which certainly reflects high honour on the valour of the American soldier, as no example can be produced of undisciplined men, with inexperienced officers, braving a fire of two hours and a half, without quitting the field, or yielding to their antagonists. But, sir, the information I now give you is derived from officers of my confidence, who took active parts in this conflict; for, though I was enabled to order the attack, it was my hard fortune not to be able to lead the troops I commanded—the disease with which I was assailed on the 2d of September, on my journey to fort George, having, with a few short intervals of convalescence, preyed on me ever since; and at the moment of this action, I was confined to my bed, and emaciated almost to a skeleton, unable to sit my horse, or to move ten paces without assistance.

I must however be pardoned for trespassing on your time a few remarks in relation to the affair. The objects of the British and American commanders were precisely opposed; the last being bound by the instructions of his government, and the most solemn obligations of duty to precipitate his descent on the St. Lawrence by every practicable means; because this being effected, one of the greatest difficulties opposed to the American army would be surmounted. And the first, by duties equally imperious, to retard, and, if possible, prevent such descent: He is to be accounted victorious who effected his purpose. The British commander, having failed to gain either of his objects, can lay no claim to the honours of the day. The battle fluctuated, and triumph seemed, at different times inclined to the contending corps. The front of the enemy was at first forced back more than a mile, and, though they never regained the ground thus lost, their stand was permanent, and their charges resolute. Amidst these charges and near the close of the contest, we lost a field piece by the fall of the officer who was serving it with the same coolness as if he had been at a parade of review: this was lieutenant Smith of the light artillery, who, in point of merit, stood at the head of his grade.

The enemy having halted, and our troops being again formed in battalia front to front, and the firing ceased on both sides, we resumed our position on the bank of the river, and the infantry being much fatigued, the whole re-embarked and proceeded down the river without further annoyance

from the enemy or their gun boats, while the dragoons, with five pieces of light artillery, marched down the Canada shore without molestation.

It is due to his rank, to his worth, and services, that I should make particular mention of brigadier-general Covington, who received a mortal wound directly through the body, while animating his men and leading them to the charge. He fell where he fought, at the head of his men, and survived but two days.

The next morning the flotilla passed through the saut and joined that excellent officer, brigadier-general Brown, at Barnhart's, near Cornwall, where he had been instructed to take post and wait my arrival, and where I confidently expected to hear of major-general Hampton's arrival on the opposite shore. But immediately after I halted, colonel Atkinson, the inspector general of the division under major-general Hampton, waited on me with a letter from that officer, in which, to my unspeakable mortification and surprise, he declined the junction ordered, and informed me he was marching towards lake Champlain, by way of co-operating in the proposed attack on Montreal.

This letter, together with a copy of that to which it is an answer, were immediately submitted to a council of war, composed of my general officers, and the colonel comanding the elite, the chief engineer, and the adjutant-general, who unanimously gave it as their opinion, that "the attack on Montreal should be abandoned for the present season, and the army then near Cornwall should be immediately crossed to the American shore for taking up winter quarters, and that this place afforded an eligible position for such quarters."

I acquiesced in these opinions, not from the shortness of the stock of provisions (which had been reduced by the acts of God), because that of our meat had been increased five days, and our bread had been reduced only two days, and because we could, in case of extremity, have lived on the enemy; but because the loss of the division under major-general Hampton, weakened my force too sensibly to justify the attempt. In all my measures and movements of moment, I have taken the opinions of my general officers, which have been in accord with my own.

I remained on the Canada shore until the next day, without seeing or hearing from the "powerful force" of the enemy in our neighbourhood, and the same day reached this position with the artillery and infantry. The dragoons have been ordered to Utica and its vicinity, and I expect are fifty or sixty miles on the march.

You have under cover a summary abstract of the killed and wounded in the affair of the 11th inst., which shall soon be followed by a particular return, in which a just regard will be paid to individual merits. The dead rest in honour, and the wounded bled for their country and deserve its gratitude.

With perfect respect, I have the honour to be, sir, your obedient humble servant,

JA. WILKINSON.

The Honourable John Armstrong, Secretary of War.

Return of the killed and wounded of a detachment of the army of the United States, descending the St. Lawrence, under the command of Major-General James Wilkinson, in an action fought at Williamsburg, in Upper Canada, on the 11th of November, 1813.

Killed—3 subalterns, 7 serjeants, 3 corporals, 1 musician, 88 privates—total 99, aggregate 102.

Wounded—1 brigadier-general, 1 assistant-adjutant-general, 1 aid-de-camp, 1 colonel, 1 major, 5 captains, 6 subalterns, 9 serjeants, 13 corporals, 1 musician, 198 privates—total 221, aggregate 237.

Grand total 320, grand aggregate 339.

Names of the commissioned Officers killed and wounded.

Killed—Lieutenant William W. Smith, of the light artillery; David Hunter, of the 12th regiment of infantry; Edward Olmstead, of the 16th ditto.

Wounded—Brigadier-general Leonard Covington, mortally, since dead; major Talbot Chambers, assistant-adjutant-general, slightly; major Darby Noon, aid-de-camp to brigadier-general Swartwout, slightly; colonel James P. Preston, of the 23d regiment infantry, severely, his right thigh fractured; major William Cummings, 8th ditto, severely; captain Edmund Foster, 9th ditto, slightly; captain David S. Townsend, 9th ditto, severely, taken prisoner; captain Mordecai Myers, 13th ditto, severely; captain John Campbell, 13th ditto, slightly; captain John B. Murdoch, 25th ditto, slightly; lieutenant William S. Heaton, 11th ditto, severely; lieutenant John Williams, 13th ditto, slightly; lieutenant John Lynch, 14th ditto, severely, taken prisoner; lieutenant Peter Pelham, 21st ditto, severely, taken prisoner; lieutenant James D. Brown, 25th ditto, slightly; lieutenant Archibald C. Crary, 25th ditto, in the skirmish the day before the action.

J. B. WALBACH, *Adjutant-General.*

N. B. Colonel Preston commanded the 13th regiment of infantry during the action, and major Cummings did duty with the 16th regiment of infantry in the action.

October 21st. Boisterous weather; left Sackett's Harbour; at night arrived off Grenadier Island.

October 22d. Called for a return of the troops on the island; found a large body to be still in the rear wrecked or stranded; returned in quest of them, and to order from the harbour a supply of winter clothing and shoes for the troops on the island, who were nearly destitute; observed at night, on our way up, many fires on different points of the coast; wind so high could not call at them; reached the harbour at midnight.

October 23d. Orders given for the shipment of the clothing; many stragglers picked up and embarked for Grenadier Island; colonel Coles arrived with two hundred men of the 12th regiment, and sailed for the same place; the Growler equipped, manned, furnished with a skipper, and sent to Oswego for colonels Randolph and Scott (who were expected at that place) and as many men as she could carry. We sailed for Grenadier Island; arrived about eight o'clock at night off the island; weather blustering, with frequent rain. All this time the general's illness continued without abatement.

October 24th. Hard rains, with heavy gales. Still at anchor off the island.

October 25th. The general landed; and measures were immediately taken to seize every pause of the prevailing storms to slip the flotilla into the St. Lawrence by small detachments. In these deceitful momentary calms we found it impossible to traverse in safety the arm of the lake to Gravelly point, though distant only nine miles. In the several attempts made, many boats driven ashore, and much provision and clothing lost. French creek, nearly opposite the point where the enemy expected we should land to attack Kingston, was made the general rendezvous of the troops, and brigadier-general Brown ordered on to take the chief command. The expedition of the Growler was so far successful, that on the 31st colonel Randolph, after a perilous voyage, reached Grenadier Island with two hundred and thirty men of the 20th regiment. On the 2d November commodore Chauncey, by concert, enterered the St. Lawrence, fell down nearly to French creek, and took a position to command the north and south channels. In the evening of the 1st November our vigilant enemy having observed, even amid

the storms, our movement and position at French creek, attacked the detachment at that place under general Brown about sun-set, with a squadron of two brigs and two schooners, with many boats loaded with infantry for landing, should their cannonade make a sufficient impression. Very soon captain M'Pherson of the light artillery erected a battery of three 18 pounders, and returned their fire with such spirit and effect that they fell down to a harbour below, beyond its range. Next morning the attack was renewed and repelled, and one of the brigs was with great difficulty towed off by the squadron, which put into Kingston channel behind Grand Island. We lost two killed and four wounded. The enemy were supposed to have suffered severely, from the evident disabled state of their brig, and the deliberate and well directed fire of the gallant captain M'Pherson.

November 3d. The rear of the army, with the general more and more sick, sailed for the general rendezvous, where the chief part arrived in the evening. The general was carried on shore, and lodged in a tent, his malady increasing in violence.

November 4th. This day was devoted to final arrangements for the sailing of the flotilla. Weather moderating.

November 5th. Charming day. The flotilla got under way, and without accident fell down and landed early in the night below Morrisville. The general suspecting he would be followed by the enemy, as in the morning his course had been discovered by three of their look-out gun-boats and a gig, and knowing that two of their armed schooners could jeopardize his movement, gave orders for the flotilla to pass Prescott, then seven miles below him, in the course of the night. But some confusion occurred arising from the novelty of the movement, and the order was countermanded.

November 6th. This morning the health of the general appeared better; he ordered the flotilla to descend to a point within three miles of Prescott; and the day being fine, got into his gig, and proceeded to reconnoitre the place. In the mean time, the powder and fixed ammunition were debarked, and placed in carts, to be transported by land, under cover of the night, beyond the enemy's batteries. As soon as the general returned, orders were issued for the debarkation of every man (except so many as were necessary to navigate the boats) who were directed to march, under cover of the night, to save useless exposure to the enemy's cannon, to a bay two miles below Prescott; and arrangements were made at the same time for the passage of the flotilla by that place,

the superintendency of which devolved on brigadier-general Brown, the general officer of the day. About 8 o'clock, P. M., we had so heavy a fog, that it was believed we could pass the British fortress unobserved, and orders were accordingly given for the army to march and the flotilla to get under way. The general in his gig proceeded ahead, followed by his passage-boat and family; but a sudden change of the atmosphere exposed his passage-boat to the garrison of the enemy, and near fifty twenty-four pound shot were fired at her without effect, while the column on land, discovered by the gleam of their arms, were assailed with shot and shells without injury. General Brown, on hearing the firing, judiciously halted the flotilla until the moon had set, when it got in motion, but was perceived by the enemy, who opened upon it, and continued their fire from front to rear for the space of three hours; and yet, out of more than three hundred boats, not one was touched, and only one man was killed, and two were wounded; and before ten next morning the whole of the flotilla (except two vessels) reached the place of rendezvous. About noon this day colonel King, adjutant-general of the army of general Hampton, arrived and waited on the commander in chief, whom he informed, that he had been to Sackett's Harbour with a despatch from general Hampton to the secretary of war; that he had no communication, written or verbal, from major-general Hampton to him (the commander in chief), but that not finding the secretary of war at Sackett's Harbour, he had thought proper, on his return, to call for any communication he (general Wilkinson) might have to make to general Hampton. The general had intended, in the course of this day, to send an express to general Hampton, with an order to him to form a junction of his division with the corps descending the St. Lawrence, and availed himself of the opportunity presented by colonel King to send the order.

November 7th. The general having been exposed to the open air all last night, in consequence found himself ill. In passing Prescott, two of our largest vessels, loaded with provisions, artillery, and ordnance stores, either through cowardice or treachery, had been run into the river near Ogdensburg, and opposite Prescott. The enemy kept up so constant a cannonade on them, that we found it difficult, and lost half a day, to get them out. We perceived the militia in arms at Johnson, directly opposite us, and several pieces of field artillery in motion. Understanding that the coast below was lined with posts of musquetry and artillery at

every narrow pass of the river, colonel Macomb was detached about one o'clock with the elite corps of about 1200 men, to remove these obstructions, and the general got under way about half past three o'clock. Four or five miles below we entered the first rapids of the river, and soon after passing them, two pieces of light artillery, which had not been observed by colonel Macomb, opened a sharp fire upon the general's passage boat, but without any further effect than cutting away some of the rigging. Lieutenant-colonel Eustis, with a part of our light gun barges, came within shot of the pieces of the enemy, and a cannonade ensued, without injury on either side. In the mean time major Forsythe, who was in the rear of the elite of colonel Macomb, landed his riflemen, advanced upon the enemy's guns, and had his fire drawn by a couple of videttes, posted in his route, on which their pieces were precipitately carried off. The general came to at dusk about six miles below the town of Hamilton, where he received a report from colonel Macomb, who had routed a party at a block-house about two miles below, and captured an officer.

November 8th. This morning the flotilla fell down to a contraction of the river at a point called the "White house," where the dragoons were assembled to be crossed. Brigadier-general Brown was ordered this morning to reinforce colonel Macomb with his brigade, and to take the command; and the whole day and following night were devoted to transporting the dragoons. About noon this day we received advice that two armed schooners and a body of the enemy in batteaux, estimated at 1000 or 1500 men, had descended the river from Kingston and landed at Prescott; that they had immediately sent a flag across the river to Ogdensburg, and demanded the delivery of all public property there, under the penalty of burning the town. Not long after, information was received that the enemy had re-embarked at Prescott in their batteaux, and were following us with seven gun boats.

November 9th. This morning very early the enemy menaced our rear, and a slight skirmish took place between our riflemen and a party of their militia and Indians, in which we had one man killed and the enemy were driven back. The cavalry, with four pieces of light artillery, under the command of captain M'Pherson, were attached to the command of brigadier-general Brown, and he was ordered to march to clear the coast below us as far as a point near the head of the "Longue Saut." The rapidity of the current obliged us to halt the flotilla several hours, to enable general

Brown to make good his march in time to cover our movement. During this period the enemy frequently threatened our rear, but never indicated an intention to make a serious attack. About three o'clock, P. M., the flotilla got under way and came to, about five o'clock, at the yellow house, having floated near eleven miles in two hours, where we encamped for the night.

November 10th. This morning the following order was issued:

"*Morning General Orders.*

"*Head-Quarters, Tuttle's Bay, Nov.* 10, 1813.

"General Brown will prosecute his march with the troops yesterday under his command, excepting two pieces of artillery and the 2d dragoons, who, with all the well men of the other brigades, except a sufficient number to navigate the boats, are to march under the orders of brigadier-general Boyd. This precaution is enjoined by regard to the safety of the men in passing the longue saut; and as this rapid is long and dangerous, the general earnestly requests the commanding officers of regiments and corps to examine the boats and see them properly fitted, in order to avoid accidents as much as possible. Brigadier-general Boyd will take the necessary precaution to prevent the enemy who hangs on our rear from making an advantageous attack, and if attacked is to turn about and beat them. The boats are to resume the station assigned them in the original order respecting the flotilla, and for this the commanding officers of regiments and brigades will be held responsible. The movement of yesterday was a reproach to the service. The flotilla will come to to-day at Barnhart's near Crab Island, and two guns from the front will be the signal for landing. In case of an attack in force beyond all expectation, the corps under brigadier-generals Boyd and Brown are to co operate with each other promptly and with decision. The general officer of the day will strictly attend and see that the flotilla puts off and moves in the prescribed order, and will arrest any officer who presumes to deviate therefrom."

Brigadier-general Brown marched, and about noon was engaged by a party of the enemy near a block house on the saut, erected to harass our flotilla in its descent. About the same time the enemy were observed to be advancing on our rear, and their galley and gun boats hove in sight, approached our flotilla then at shore and began to cannonade it. The slender structure of our gun barges made it impossible for

them to resist the long twenty-four pounder of the enemy's galley; this obliged the general to order two eighteen pounders to be run on shore and formed in battery, a single shot from which gave such an alarm to the enemy's vessels, that they retired up the river accompanied by their troops. But these slight operations so far wasted the day that our pilots were afraid to enter the saut (a continued rapid of eight miles) with the flotilla; we therefore fell down within two or three miles of the head of it, and came to for the night. By this time the general had become so extremely ill as to be unable to sit up, and was confined to his bed in a small birth under the quarter deck of his passage boat.

November 11th. Having heard the firing of the cannon yesterday between general Brown and the enemy, being still unapprised of the result, it became necessary that we should hear from him before we committed ourselves to the saut, which allows no retreat, no landing, no turning to the right or left but where the impetuosity of the current impels. About 10 or 11 o'clock, A. M., the commander in chief received advice from general Brown that he had forced the enemy to retire before him, and had arrived near the foot of the "saut." Orders were immediately given for the flotilla to prepare to sail, and for general Boyd and his command to commence their march, when some firing took place from the gun boats, and a report was brought to the commander in chief that the enemy was advancing in column; on this he ordered general Boyd to attack them, and the flotilla was directed not to leave the shore. But the report was soon after contradicted. A variety of reports respecting their movements and countermovements were, after this, successively brought to the general, which impressed him with the conviction that the enemy had determined to attack his rear as soon as the flotilla should put off and the troops commence their march; he resolved to anticipate them. He therefore sent colonel Swift of the engineers with instructions to brigadier-general Boyd, who had been directed by the order of the preceding day to take command of the detachment on shore, to form that detachment into three columns, to advance upon the enemy, to endeavour to out-flank them, and to take their artillery. Soon after this the action commenced, and for the numbers engaged was extremely warm and bloody for upwards of two hours, during which time, in open space and fair combat, the raw undisciplined troops of the United States braved, and frequently drove the best troops of the British army. Descriptions of battles have become too subservient to the grati-

fication of personal vanity and the acquisition of popular applause: yet every man who has taken part in a great action must know that there is nothing more difficult than to do justice to the merits of a battle in all its parts, where it is hard to find two officers, unless fighting side by side, who agree in opinion as to the propriety of measures and the conduct of men. The fortunes of this day were various; sometimes one line, sometimes the other giving way. Unfortunately, during the shiftings of the action, by the death of lieutenant Smith, a young officer of the highest promise, the enemy got possession of a field piece, the only trophy they obtained. It is difficult to speak of the precise numbers engaged on either side, because the detachment under general Boyd consisted of an indefinite number of his own, Covington's, and Swartwout's brigades, ordered from on board the boats to lighten them, and save the hazard of the men's lives in descending the saut. Neither Covington nor Swartwout were obliged to have taken part in the action, with this detachment; yet they both entered the field, taking command of that part of it which belonged to their respective brigades, where they exhibited the same courageous conduct which distinguished general Boyd on the field; and to the great loss of the service brigadier-general Covington received a mortal wound when encouraging and leading on his detachment. The numbers engaged on our side could not have exceeded sixteen or seventeen hundred men, while those of the enemy are reckoned, by spectators, at from one to two thousand; but 'tis probable did not exceed 1500, consisting, as we are informed, of detachments of the 49th, 84th, and 104th, the voltigeurs, and Glengarian regiment.

With respect to the courage displayed by our officers, it would be useless to enter into details, since they all manifested in their respective stations equal intrepidity. The names of the meritorious dead and wounded will be recorded in another place. The firing ceased by common consent about 4 o'clock, P. M., our troops were formed in battalia in front of the enemy, who were also in line, and they separated, the enemy to their camp, and we to our boats. The troops being much exhausted, it was considered most convenient that they should embark, and that the dragoons with the artillery should proceed by land. The embarkation took place without the smallest molestation from the enemy, and the flotilla made a harbour near the head of the saut, on the opposite shore. The views of the American and British commanders were, on this occasion, precisely opposed. The

first being bound by the instructions of his government, and the most solemn obligations of duty to precipitate his descent of the St. Lawrence by every practicable means, and the last by duties equally imperious to retard, and if possible to prevent such descent. If then he found himself victorious on this day, it was certainly in his power to have effected the one or the other object; and as he made no attempt to effect either, it follows incontestibly that he had no fair ground on which to claim a victory.

November 12th. The flotilla sailed early this morning, and passed down the saut, without discovering either the boats or troops of the enemy, and arrived, in the course of the forenoon, at Barnhart's, where the commanding general received a letter from major-general Hampton, by the hands of colonel Atkinson, his inspector general, which blasted all his hopes and destroyed every prospect of the campaign. A council of war was called upon the receipt of this communication, which was submitted to their consideration, whereupon the council determined that the conduct of major-general Hampton, in refusing to join his division to the troops descending the St. Lawrence to carry an attack against Montreal, rendered it expedient to leave the left bank of St. Lawrence, and to remove the troops to French Mills, on Salmon river; and on the 13th of November this recommendation was accordingly carried into effect; ample time having been given to the enemy to have tried a second action, if they had dared to run the hazard.

Extract of a Letter from Major-General Wilkinson to the Secretary of War, dated French Mills, Nov. 17, 1813.

"After what had passed between us, you can perhaps conceive my amazement and chagrin at the conduct of major-general Hampton. The game was in view, and, had he performed the junction directed, would have been ours in eight or ten days. But he chose to recede, in order to co-operate, and my dawning hopes, and the hopes and honour of the army, were blasted."

Extract from the General Order of General Wilkinson of November 13.

"The troops are to embark without loss of time; yet are not to be hurried in leaving the Canadian shore, from whence the commander in chief is compelled to retire by the extraordinary, unexampled, and it appears unwarrantable conduct of major-general Hampton, in refusing to join this army with

a division of 4000 men under his command, agreeably to positive orders from the commander in chief, and as he has been assured by the secretary of war, of explicit instructions from the war department.

"Thus deprived of a large portion of his promised force, the commander in chief feels himself bound by a sense of regard to this meritorious corps, and of sacred duty to the United States, to spare the lives of brave men, and not to hazard the character or interest of the nation, by an unequal conflict. He with lively regret and the deepest mortification suspends the attack on Montreal. But he assures the army that it is not abandoned."

Colonel Purdy's Report to Major-General Wilkinson of the Action at Chateaugy, &c. transmitted by the General to the Secretary of War.

I arrived at Cumberland-head September 16th, 1813, and on the 18th took command of the 4th regiment of infantry stationed at that place. The army consisting of about four thousand men, composed principally of recruits who had been but a short time in service, and had not been exercised with that rigid discipline so essentially necessary to constitute the soldier. They had, indeed, been taught various evolutions, but a spirit of subordination was foreign to their views. On the 19th, orders were issued for the whole army, except a squadron of horse and the artillery, to embark in batteaux. The army got under way, preceded by the light corps, and flanked on the right by the navy, and arrived at Chazy at 12 o'clock at night, lay on their arms, embarked again soon after sun-rise the next morning, proceeded down the lake as far as Champlain river, the distance of four miles, where we landed, and immediately marched to Odletown. The light corps, who preceded the other troops some hours, surprised and defeated a guard of the enemy at that place. We remained at Odletown until the middle of the next day, during which time a want of system in the management of the army was readily discovered by every military man, that led to apprehensions for the safety of the troops, should the enemy oppose with any considerable force. The army returned to Champlain the 21st, and 22d to Chazy, and the day following commenced the route to Chateaugy. The whole of this march, a distance of more than seventy miles, was very disagreeable: the officers were not permitted to take with them the necessaries, much less the conveniences of life, and were compelled to abandon clothing and other things essen-

tially necessary to preserve the body in health. We forebore complaint, endured every privation, presuming the commanding officer had sufficient reasons for his conduct, and concluding it was pro bono publico. The scene has past and time sufficient has elapsed to have discovered those reasons, had they existed: none have been found; on the contrary, circumstances have demonstrated that it was a useless and unnecessary sacrifice of both public and private property. The army remained at Chateaugy twenty six days, and on the 21st October commenced an excursion into the enemy's country. The first brigade followed the course of the Chateaugy river to Spears, the distance of 18 miles and upwards and there met the second brigade, which had taken a nearer and more convenient route. The march was very fatiguing, equalled only by another that soon followed. Credit is due to both officers and soldiers for their orderly conduct, patience, and perseverance, in surmounting the incredible obstacles the enemy threw in their way. On the 25th a difficult and very fatiguing expedition was planned, and the execution of it assigned to the first brigade, which had been for some time previous and still remained under my command. The design was to cut off the retreat of a body of the enemy, supposed to be encamped on the banks of the Chateaugy, six miles distance. With this intention the first brigade was ordered to cross the river at night, march silently down and recross at a ford two miles below the enemy and attack them in rear, giving a preconcerted signal, while the second brigade moved down the road in front. We commenced the march at sun-down, and by sun-rise the next morning had gained only six miles. Here we were discovered by the enemy and fired on from the opposite side of the river. During that night we were repeatedly misled by the guides who knew nothing of the country, having never been that way, and at the time we were attacked, they had led us into a thick cedar growth or swamp on the banks of the river and immediately opposite the enemy's position, and knew not how to extricate us. Incredible as it may appear, general Hampton entrusted nearly one half of his army, and those his best troops, to the guidance of men, each of whom repeatedly assured him that they were not acquainted with the country, and were not competent to direct such an expedition. At the same time general Hampton told me he had a man by the name of Smith, who had a perfect knowledge of the country, and whom he promised to send me, but which he neglected to do. The defeat of the expedition was the con-

sequence of this neglect of the major-general. About two o'clock, while receiving an order from colonel King, adjutant-general, upon the opposite side of the river, to march back four miles and then ford the river and join the 2d brigade, the enemy made a furious attack on the column by a great discharge of musketry, accompanied by the yells of the savages. Unfortunately, the word "retreat," was heard, which, for a short time spread confusion among the several corps. A sufficient number, however, remained firm, and the enemy was soon compelled to retire. Towards sun-down I sent general Hampton a request that a regiment might be ordered down to cover my landing on the opposite side of the river; but judge my surprise, on receiving intelligence that he had retreated with the second brigade nearly three miles. Thus was I deserted without the smallest guard to cover my landing. To what cause shall it be attributed, that the general ordered a retreat, and that too at the moment when the presence of the second brigade was required or could be useful, as soon afterwards he declared "he should be willing to compound with the first brigade for 500 men." The wounded had previously been conveyed across on rafts, which made a removal of my brigade to that side absolutely necessary for their protection. An attempt was accordingly made, and a floating bridge soon constructed of old logs found on the margin of the river. The enemy discovering our disposition, commenced a firing from the opposite side, and killed several while crossing. Major Snelling, with about 100 men effected a landing, and joined the main body. The remainder of my force, exhausted by the excessive exertions of the preceding night, and weary with the fatigues of the day, not having had a moment either for rest or refreshment, were compelled to endure the privation of sleep another night. We retired two or three miles and took a position. At about 12 o'clock the enemy came up and made an attack upon us, but were soon routed. The men at this time were formed and lying on the ground they were to occupy in case of an attack, and were ordered to and did immediately rise, seize their arms, and remained under them the residue of the night. An excessively heavy rain prevented the firing both of the enemy and ourselves, except occasionally a single gun from the former. Our troops were ordered not to fire, but in case of a repetition of attack to charge bayonets; this was accordingly done. The enemy charged several times, and as often were put to flight. It is observable in this place, that so greatly were the men over-

powered by fatigue, though in a situation every way dangerous, and in which they had every reason to believe they should be sallied upon by the enemy every moment, many were unable to conquer their disposition to sleep, and it was not in the power of the officers to keep them awake. It was on the morning of this last attack, that the general expressed his apprehensions for the first brigade, and made the declaration above quoted. The next morning we crossed the river and joined general Hampton; on the 28th the army retreated four miles, and on the 30th and 31st marched back to Chateaugy. The troops at the times of the attack were not in a situation to endure further fatigue; and it is an indubitable fact, that many of them were so debilitated they were unable to proceed with the brigade on its march from the place of its last attack, and actually did not reach the main body until the day after the brigade had joined it, and some not even until the army had reached the Four Corners of Chateaugy.

Never to my knowledge, during our march into Canada, and while we remained at the Four Corners, a term of twenty-six days, did general Hampton ever send off a scouting or reconnoitring party (except in one or two cases at Spear's in Canada, when he detached a few dragoons for this duty) nor did he, from the time we commenced our march from Cumberland-head to our arrival at Plattsburg, ever order a front, flank, or rear guard to be kept up, though a great part of the time we were in situations which evidently required it. True it is, these guards were occasionally sent out, not, however, by his order, but by the orders of the officers commanding brigades.

By a general order, dated Chateaugy, November 5, the general says he has paid the first attention to the sick, and has granted them indulgences which created murmurings on the part of some officers at their posts. It is only necessary here to observe, that every officer of the army can testify that the sick were very much neglected as far as regards comfortable quarters and transportation, and that they were strewed along the roads through which we marched without care or attendance; and it is presumable that many have died in consequence of this who might have been saved to themselves if not to the service. The general, indeed, at the time this order was issued, which was after our return to the Four Corners, did order transportation for the sick to Burlington, but this is the only instance to my knowledge.

The commissary's department is worthy of notice. My

order for provision was not sufficient: nor could I obtain any but by special license of general Hampton. The commissary of issues has been constantly in the habit of selling the livers, &c. of beeves to officers; and though I represented this to general Hampton as unusual and improper, he refused to take any other notice of it than saying, "the commissary is accountable for all parts of the beef, even to a pound or ounce of tallow;" nor did he take any notice of another piece of misconduct of the commissary, that of acting in the capacity of sutler, but sanctioned it by purchasing of him.

The common practices with general Hampton, of arresting officers and releasing them without their consent; of releasing arrested officers without the knowledge or consent of the officers by whom they were arrested (the case of lieutenant Morris, of the 33d regiment, who was arrested by me on the charge of cowardice and misconduct before the enemy on the 26th October, 1813, the time of the skirmish with the enemy at Ormstown, or Chateaugy river, being an instance); of refusing to arrest officers whom I reported to him as having deserted their posts in time of action; of daily issuing orders and countermanding them; and of interfering in an improper manner with the subordinate commands of the army, as a reference to the orders issued by him will show, mark very strongly the capriciousness of his conduct and the total want of steadiness in his intentions.

Such has been the general's conduct on some occasions, that I have, in common with other officers, been induced to believe that he was under the influence of a too free use of spirituous liquors.

I must, in justice to general Hampton say, that the expedition he planned, and which I have called "difficult and fatiguing," did, at the time it was suggested to me, by him, meet my full approbation, and that I have since seen no reason for changing my opinion of its practicability or usefulness; but I must also say that it required competent guides; and these (as I said before) he promised to furnish me, but did not.

I am of opinion no officer that has served under major-general Hampton, on the late campaign, can or will contradict this statement.

(Signed) ROBERT PURDY,
Colonel 4th Infantry.

A true copy.

R. H. M'PHERSON,
Captain and Secretary.

Extract of a Letter from the Secretary of War to Major-General Wilkinson.

Albany, Nov. 18, 1813.

"My last advices from you are of the 3d instant. Report says that the garrisons of Kingston and Prescott have found means to overtake your rear, to bring it to action, to handle it roughly, and to compel it to retreat to the main body. To this I give no credit:

"1st, Because moving with the celerity necessary to your objects, it is highly improbable that they could, by any exertion, have been able to overtake you; and

"2d, Because it is quite incredible, that finding in your rear, a heavy corps capable of disturbing the main action of the campaign, you should not have taken effectual measures to beat and destroy it. If 1600 men were not sufficient for this purpose, 6000 were so; and the garrisons of Kingston and Prescott destroyed (though we failed of getting to Montreal), the upper province was won."

Extracts of a Letter from Major-General Wilkinson to the Secretary of War, dated

French Mills, Nov. 24, 1813.

"I have had the honour to receive your letter of the 15th instant from Albany, and hope my despatches have reached you which left this on the 17th.

"With respect to the unfortunate issue of the campaign, I disclaim the shadow of blame, because I know I have done my duty, and more than my duty, and so do those with whom I have acted. *To general Hampton's outrage of every principle of subordination and discipline may be ascribed the failure of the expedition*, and that I have not yet arrested him must be attributed to my respect for you, and my desire that the arrest should proceed from the highest authority; for if this act be suffered to pass unnoticed and unpunished it will establish a precedent to justify disobedience and subvert those obligations of blind obedience on which the efficiency of military institutions exclusively depend.

"After our losses by deaths, desertions, and discharges since we left Sackett's Harbour, I think we shall not be able to show you more than 6000 men at this point, exclusive of the dragoons who have been ordered to Greenbush and Pittsfield for convenience and economy."

Sir, *War Department, November* 25, 1813.

It is recommended to you to consolidate your infantry and

artillery into complete regiments, or as nearly so as possible, for the winter, retaining a full complement of your most efficient officers to command them, and detaching all surplus officers immediately on the recruiting service, and to the several districts indicated by the rules and regulations. This regulation should extend to general Hampton's division.

An immediate inquiry into the terms of enlistment of the men composing your army should be instituted, and endeavours should be made to re-enlist all those whose terms of service are about expiring.

The most severe attention to discipline must be begun, and the slightest departures from it, whether in officer or soldier, noticed and punished. Clerks to the several companies must be appointed, and company books kept, showing every thing received by the soldier, and charging him therewith. If on the next or any future inspection it be found that any article of his clothing, or of his arms, has been lost or sold, the article is to be supplied, and the price deducted from his wages. With regard to clothing and arms, there have been the most shocking abuses.

Confidential reports are provided by the rules, and must be made agreeably thereto. The inspector who neglects or refuses to perform this duty, shall be dismissed the service.

I am sir, very respectfully, your most obedient servant,

JOHN ARMSTRONG.

Major-General Wilkinson.

Extract of a Letter from Major-General Wilkinson to the Secretary of War, dated Head-Quarters, Malone, Military District, No. 9, *December* 6, 1813.

"Your three letters of the 25th ultimo came to hand on the 30th; and I am happy to find that I had anticipated the views communicated in those letters, as far as respects the security of our flanks and centre. When I ordered major-general Hampton to reinforce the post of the Four Corners, it was under the impression that Cumberland-head was guarded; but the moment I was undeceived and apprised of the exposed situation of our depot at Plattsburg, the order was countermanded, as you have seen from the documents which I have transmitted you. You must also have perceived from those documents, that I was not insensible of the importance of condensing our force, and that I had made a proposition respecting quarters preparatory to such event."

Abstract from the Report of the Adjutant-General of General Wilkinson's Army, showing the whole number of non-commissioned Officers, Musicians, and Artificers of the several Regiments and Corps, on December 1, 1813.

Light artillery		-	472
2d regiment artillery		-	117
3d	ditto	-	675
5th regiment infantry		-	495
6th	ditto	-	549
11th	ditto	-	454
12th	ditto	-	500
13th	ditto	-	591
14th	ditto	-	295
15th	ditto	-	648
20th	ditto	-	336
21st	ditto	-	841
22d	ditto	-	455
25th	ditto	-	578
Riflemen		-	263
			8143

Adjutant and Inspector-General's Office,
January 27, 1814.

A. Y. NICOLL, *Inspector-General.*

Note.—The two regiments of light dragoons, which had made part of general Wilkinson's force in descending the St. Lawrence, are not included in this return, these corps having been detached to Utica.

Extract of a Letter from Major-General Wilkinson to the Secretary of War, dated
Malone, December 8, 1813.

"The unavoidable delay of the express (as no reliance can be placed on the mail from this place) enables me to send you the copy of a letter from general Izard, dated the 6th instant, which exhibits additional expositions of the pernicious and unwarrantable conduct of major-general Hampton. I will not charge this man with traitorous designs, but I apprehend, in any other government, a military officer who first defeated the objects of a campaign by disobedience of orders, and then, without authority, furloughed all the officers of the division he commanded on a national frontier, in the vicinity of an enemy, would incur heavy penalties."

Extract of a Letter from Brigadier-General Izard to Major-General Wilkinson, dated
Plattsburg, December 5, 1813.

"There is an unavoidable delay in the returns of the regiments of this division, proceeding from the extreme inexperience of the officers of all grades, now with them; almost every efficient officer is either sick, or was furloughed by major-general Hampton at the moment of his own departure; those that remain are barely enough to perform the routine of duty in this cantonment."

Extract of a Letter from Major-General Wilkinson to the Secretary of War, dated
Malone, Dec. 24, 1813.

"I believe I have not hitherto transmitted you a copy of a communication which took place between commodore Chauncey and myself, the day before I sailed from French creek, and I do it now to show you what were my anticipations of the movements of the enemy left behind me, and how delusive were all the promises made to me that my rear should be protected."

Dear Sir, *French Creek, Nov. 4, 1813.*

I was so ill yesterday I could not call to see you; and I now send up to say that I shall sail this evening; and if I am not obstructed by the enemy's armed vessels which may have slipped down the other channel, I shall pass Prescott to-morrow night, or land the next morning to take the place, if I cannot pass it without too great hazard. As this operation may require three or four days, it is not improbable the enemy's squadron may make some attempts to destroy my boats; and therefore I must intreat you to watch his every motion, and to give my flotilla every protection in your power.

We are a match for the gun-boats of the enemy, but inferior to armed schooners, and therefore could you consistently spare us the Pert, or some armed vessel, to run down to the vicinity of Ogdensburg, and immediately return, it would add security to our movements.

Major Johnson will have the honour to deliver you this, and I will thank you for any information you can give me respecting the movements of the enemy.

I wish very much to say farewel to you, but I am sensible of the delicacy of your situation, and my disease having changed into a violent inflammation of the breast, I dare not

get wet. If then it is destined that we are not to meet again, I will leave with you my prayers for long life and laurels in this world, and everlasting happiness in that which is to come.

Farewel, my friend, and may your country understand your skill and valour as well as does

JA. WILKINSON.

Commodore Chauncey.

United States Ship General Pike, at anchor off the east end of Long Island,

Dear Sir, *River St. Lawrence, Nov.* 4, 1813.

Your favour of this day's date has this moment been handed to me by major Johnson.

From the best information that I can get, the enemy's fleet is at or in the vicinity of Kingston, and I think that you have nothing to apprehend from them, as I am in a situation to watch both channels.

I should deem it unsafe to separate any part of my squadron as long as the enemy remains above me: in fact, I am in hourly expectation of being attacked by sir James down the south channel; in that case I shall require all my force, as he has added a number of gun-boats to his fleet. If, however, sir James should detach any part of his fleet down the north channel, I will send a sufficient force down to oppose him.

I will remain in my present station until you pass Prescott, but am anxious for that event to take place at as early a day as possible, as the fleet cannot move out of this river except with a fair wind. It is to be apprehended that after a few days a spell of westwardly winds will set in, which may detain us until the ice makes, which would endanger the safety of the fleet, and probably lead to its final destruction. If it is possible for you to communicate to me in any way, when you pass Prescott, I should esteem it as a particular favour.

May your present enterprise be crowned with all the success that you yourself can wish; and that your eminent services may be duly appreciated by your country is the prayer of, dear sir, your friend and humble servant,

ISAAC CHAUNCEY.

Major-General James Wilkinson, Commander in Chief of the American Forces in and upon the St. Lawrence, &c. &c. &c.

Correspondence between the Secretary of War and Colonel Porter and General M'Clure, &c.

Sir, *War Department, February* 23, 1813.

As the enemy's force and defences on the Canada side of the Niagara river are understood to be weak; as your force is respectable, and supposed to be competent to a successful attack of these; and as the season has now furnished you with a bridge, as well for retreat as for advance, it is thought advisable that you do not permit circumstances so favourable to escape without making a stroke on such points of the enemy's line, as may be most within your reach. If, after feeling the enemy at fort Erie, you should find yourself able to extend your attack to fort George, it will be desirable; but of this you can judge best after your first experiment. To an old soldier, like yourself, it is unnecessary to go more into detail. You know what you ought to do, and you will do it. Communicate this letter to lieutenant-colonel Bœrstler, and accept the assurances of my respect and good wishes.

(Signed) JOHN ARMSTRONG.

Colonel Porter, Light Artillery, commanding the Troops of the United States on the Niagara river.

Extract of a Letter from Major-General Dearborn to the Secretary of War, dated

Albany, March 25, 1813.

"Colonel Porter informs me that he had commenced the necessary preparations for an attack on fort Erie, but the desertion of a serjeant prevented his carrying his intended attack into operation. Two officers with six men pursued the serjeant so far as to be surrounded on the ice, and were made prisoners. Fort Erie was immediately reinforced, and he had given over any immediate movement."

Letter from Colonel Scott (3d Artillery Regiment) to Major-General Wilkinson.

Fort George, Monday, 7 o'Clock, P. M.,

Sir, *October* 11, 1813.

Within the last five minutes, I have had the honour to receive your despatch by "The Lady of the Lake."

The enemy has treated me with neglect. He continued in his old positions until Saturday last, (the 9th) when he took up his retreat on Burlington heights, and *has abandoned this whole peninsula.* Two causes are assigned for this preci-

pitate movement; the succour of Proctor, who is reported to have been entirely defeated, if not taken; the other the safety of Kingston, endangered by your movement.

We have had from the enemy many deserters, most of whom concur in the latter supposition.

The British burnt every thing in store in this neighbourhood, 3000 blankets, many hundred stand of arms, also the blankets in the men's packs, and every article of clothing not in actual use.

They are supposed to have reached Burlington heights last evening, from the rate of their march the night before. I have information of their having passed "the 40," by several inhabitants who have come down. They add to what was stated by the deserters, that two officers of the 41st had joined general Vincent from Proctor's army, with the information that Proctor was defeated 18 miles this side of Malden. I cannot get particulars.

From the same sources of intelligence, it appears that the 49th, a part of the 100th, and the voltigeurs, moved from this neighbourhood the day after our flotilla left this, the 3d instant, but with what destination is not certainly known.

It was first reported (I mean in the British camp) that these regiments had marched to support Proctor, who, it is said, wrote that he would be compelled to surrender if not supported.

I am pretty sure, however, that they are gone below. The movement of our army, *below*, seems to have been known in the British lines as early as the 3d instant, together with the immediate objects in view; hence I have no difficulty in concluding that all the movements of the enemy will concentrate at Kingston.

Chapin, who has been commissioned lieutenant-colonel, marched late last evening up the lake with about 100 volunteers under his command, and was followed this morning by generals M'Clure and Porter, with about 1000 men, Indians and militia included. There is no danger of their coming up with the enemy, or they would be in great danger of a total annihilation.

Vincent took hence with him about a thousand or eleven hundred regulars. Many of the militia left this with the avowed design of plunder; but I fear from reports, that the British have left the miserable inhabitants without any thing to be ravished. I expect general M'Clure back to-morrow evening, as he only took with him supplies for two days; he will probably go as far as "the 20."

On the 8th, Chapin went out with a small party and attacked one of the enemy's picquets, which brought on a skirmish, in which many of colonel Swift's regiment participated. After a great waste of ammunition, the parties retired to their respective camps with little loss on either side; we made and lost a prisoner, had two Indians killed, and two other men wounded. We hear the enemy had five men wounded.

I had this morning made an arrangement, on application of general M'Clure, to be relieved in the command of this post on the morning of the 13th instant, with an intention of taking up my line of march for Sackett's Harbour, according to the discretion allowed me in the instructions I had the honour to receive from you at this place. My situation has become truly insupportable: without the possibility of an attack at this post, and without the possibility of reaching you time enough to share in the glory of impending operations below. I am, nevertheless, flattered with the assurance that transport will be forwarded for my removal, and to favour that intention, I propose taking up my line of march on the morning of the 13th for the mouth of Gennessee river, and there await the arrival of the vessels you are good enough to promise me. By this movement, captain Mix thinks with me, that I shall hasten my arrival at Sackett's Harbour, five, possibly ten days. Captain Camp has a sufficient number of waggons to take me thither: I can easily make that place by the evening of the 15th. I hope I shall have your approbation, and every thing is arranged with brigadier M'Clure.

Knowing your wishes respecting the invalids or subjects for discharge, and fearing that water transport might not be had till the season was too far advanced for their removal, I have ventured to send lieutenant Archer (paymaster of the 20th, who was left here without orders) on command to Greenbush, with 100 men of this description. It was a measure approved of by doctor Mann, and I hope not contrary to your wishes and intentions. Doctor Hugo, surgeon's mate of the 14th (also left here without orders) accompanied the detachment. The quarter-master's department furnished eight waggons on my requisition.

The sick list of the garrison is much reduced since your departure (I have the honour to inclose my report of this morning), and doctor Mann has discharged many patients from his hospital: I also inclose you his last report. Those marked "subjects for discharge" are part of the number sent off to Greenbush.

Doctor Mann and captain Camp have concluded to remove the general hospital to " the Eleven Mile creek," near Buffaloe, the barracks at which place will be sufficient for the reception of the whole of the sick, with some trifling repairs.

From the morning report inclosed, you will find 794, the " total," &c. present of the regulars of this garrison, including officers, &c. Transport will be necessary for about 850 persons. I wish also to take with me four iron 6's, one five and a half inch howitzer, and two caissoons, the whole on field carriages. This train will form no impediment in my march to the mouth of Gennessee river, as I have horses belonging to the regiment sufficient to draw it. If it meet your approbation, I can send the horses thence to Sackett's Harbour by land.

I have, by working almost night and day, greatly improved the defences of this post, and nearly filled up the idea of the engineer. I flatter myself that I have also improved the garrison in discipline.

I must apologise for the haste in which this is written, but captain Mix proposes to sail immediately, and I fear to detain him a moment. I think I shall certainly be at the mouth of the Gennessee by the 15th instant.

I have the honour to be, sir, with the highest respect, your most obedient servant,

W. SCOTT, *Colonel commanding.*

Major-General Wilkinson, commanding, &c. &c. &c.

Extract of a Letter from Colonel Winfield Scott to the Secretary of War, dated Georgetown (Col.), Dec. 31, 1813.

" At your desire, I have the honour to make the following report:

" I left fort George on the 13th of October last, by order of major-general Wilkinson, with the whole of the regular troops of that garrison, and was relieved by brigadier-general M'Clure, with a body of the New-York detached militia.

" Fort George, as a field work, might be considered as complete at that period. It was garnished with ten pieces of artillery, (which number might easily have been increased from the spare ordnance at the opposite fort) with an ample supply of fixed ammunition, &c. &c. &c. as the inclosed receipt for these articles will exhibit.

" Fort Niagara, on the 14th October, was under the immediate command of captain Leonard, 1st artillery, who, besides his own company, had captain Read's of the same regiment, together with such of brigadier-general M'Clure's

brigade as had refused to cross the river. Lieutenant-colonels Flemming, Bloom, and Dobbins of the militia, had successively been in the command of this fort by order of the brigadier-general, but I think neither of them was present at the above period.—Major-general Wilkinson in his order to me for the removal of the regular troops on that frontier, excepted the two companies of the 1st artillery then at fort Niagara. And under the supposition that I should meet water transport for my detachment at the mouth of the Gennessee river, I had his orders to take with me the whole of the convalescents left in the different hospitals by the regiments which had accompanied him. This order I complied with."

NOTE.—By the arrangements of the war department, brigadier-general Porter, of the United States army was designated for command on the Niagara frontier, and particularly for that of fort George. In the latter trust, general Wilkinson substituted for him colonel Scott, of the 3d regiment of artillery, with provisional orders to join the army at Sackett's Harbour.

War Office, Feb. 8, 1813.

Ordered, That captain Leonard (1st regiment of artillery) be *arrested*, and that his place be supplied by captain Armistead, of the same regiment.

Adjutant-General Cushing. JOHN ARMSTRONG.

Extract of a Letter from Adjutant-General Thomas H. Cushing to Captain George K. Armistead, dated at this Office,

Sir, *February* 8, 1813.

"You will please to proceed to Niagara, in the state of New York, and relieve captain Nathaniel Leonard in the command of the company of artillerists now at that post; which company is to be returned and mustered in your name from and after the day on which you receive the command of it; and captain Leonard will be instructed to deliver the said company to you, with books, papers, clothing, and every thing appertaining to it.

"You will call on major-general Dearborn at Albany, and receive his orders."

Adjutant and Inspector-General's Office,
Washington, Jan. 22, 1814.

The above is a true copy from the original, as recorded in this office.

J. B. WALBACH, *Adjutant-General.*

Extract of a Letter from Adjutant-General Thomas H. Cushing to Major-General Henry Dearborn, dated at this Office, 8th February, 1813.

"The conduct of captain Leonard at Niagara, has been represented in a very unfavourable light to the secretary of war, who has instructed me to send captain George Armistead to relieve him in the command of the company at that post, and I have instructed captain Armistead to proceed on his journey immediately, and to wait on you for any instructions you may think proper to give. Captain Leonard must not exercise command until his conduct has been inquired into."

Adjutant and Inspector-General's Office,
Washington, 22d January, 1814.

The above is a true copy from the original as recorded in this office.

J. B. WALBACH, *Adjutant-General.*

Extract of a Letter to the Secretary of War from Major George Armistead. Fort M'Henry, January 19, 1814.

"Captain Leonard was not arrested or brought to trial during my stay on the frontier; nor was he ever instructed, to my knowledge, to give me the command of his company."

Sir, *War Department, October 4, 1813.*

Understanding that the *defence* of the post committed to your charge, *may* render it proper to destroy the town of Newark, you are hereby directed to apprise its inhabitants of this circumstance, and to invite them to remove themselves and their effects to some place of greater safety.

I am, &c.

JOHN ARMSTRONG.

Brigadier-General M'Clure, or Officer commanding at Fort George, Upper Canada.

General Harrison's Orders to General M'Clure.

Dear Sir, *Head-Quarters, Newark, Nov. 15, 1813.*

Being ordered to return to the westward you will be pleased to resume the command which you received previous to my arrival at this place.

The *orders which you heretofore have received will govern you.* It will be necessary that you keep a vigilant eye over the disaffected part of the inhabitants, and I recommend that you make use of the zeal, activity, and local knowledge which

colonel Wilcocks certainly possesses, to counteract the machinations of our enemy, and insure the confidence of our friends amongst the inhabitants. It will, however, I am persuaded, be your wish, as it is your duty, to guard the latter as much as possible from oppression.

The volunteers which were lately called out will be retained as long as you consider their services necessary; the drafted militia, until further orders are received from the secretary of war.

There can be little doubt of its being the intention of the enemy to send the greater part of the troops which they have at Burlington and York to Kingston, and to make York the right of their line. They may, however, have a small command at Burlington, and those may be so securely posted as to render them safe from any desultory expedition you may set on foot; but it is desirable to have any supplies which they may have collected in the neighbourhood destroyed; and should the success below be not such as to promise possession of the whole of the upper province, may be destroyed.

Captains Leonard and Reed, or either of them, are appointed to muster your troops when and where you think proper.

In closing this communication, I should not do justice to my feelings, if I were not to acknowledge the zeal and talents with which you have managed your command. Your conduct appears to me to have been extremely judicious and proper throughout, and your troops exhibit a state of improvement and subordination which is at once honourable to your officers and themselves.

I am, very sincerely, your friend and obedient servant,

WM. HENRY HARRISON.

Brigadier-General George M'Clure.

Dear Sir, *Fort George, Nov.* 17, 1813.

Major-general Harrison embarked with his troops yesterday on board the fleet destined for Sackett's Harbour, leaving the command once more in my hands. Owing to continued opposing winds, the fleet has not yet gotten out of sight.

A correspondence which took place between the general and myself, copies of which are herewith sent, will at once explain to you my views and feelings relative to the operations proposed to have been effected on this frontier. I am confident that the expressions of regret made by general Harrison are equally sincere with mine, though we both ac-

quiesce in the necessity which dictated *his* abandonment of the projected expedition against Burlington.

About 400 volunteers have repaired to this post under my late call, made in conformity with general Harrison's wishes and request. A few are still coming in. I shall take care that they shall not be unemployed. I am this moment sending out a detachment of 200 mounted volunteers, with directions to penetrate the enemy's lines as far as practicable with safety. In the mean time, I am making preparations for moving in force against them, unless the intelligence expected from this excursion should be such as to make it improper.

Accounts of the enemy's force still vary much. A deserter came in to-day who represents their force to be 1500 regulars and 800 Indians at Burlington and Stony creek. The former I think is magnified.

It is impossible to form a correct opinion of their intended movements. At one time they appear to be sending down their stores and detachments of troops to York. At this time it is said they are reinforcing, fortifying, and building barracks.

The term of service of my troops will expire on the 9th December. It can hardly be expected that many will willingly continue in service a longer time. Your excellency will at once see the necessity of prompt arrangements being made to supply their place, if it be contemplated to retain this garrison.

I inclose herein my late address, made under the sanction of general Harrison.

I have the honour to be your excellency's obedient humble servant,

GEO. M'CLURE, *Brigadier-General.*

His Excellency John Armstrong, Secretary of War.

Dear Sir, *Fort George, November* 15, 1813.

The subject of our conversation this morning has occupied my most serious reflections. The deadly blow heretofore given to the patriotism of our citizens on this frontier, has prepared them for murmurs and complaints; those who are not on their march, have left their homes and their business under great sacrifices, with the moral certainty of being brought into action.

The last address which I issued under your directions, and which I am happy to find has met your approbation, gives them reason for indulging the expectation of service, and they are anxious to drive the enemy from their borders

for ever.—The high character of general Harrison, combined with these circumstances, has excited strong interest in the public mind relative to our operations.

In this peculiar situation of affairs, I feel it to be due to the gallant volunteers and militia, who are assembled and collecting, and to my own reputation, most respectfully to solicit, that if it is not incompatible with your instructions and your better judgment, you will not abandon our projected expedition against Burlington heights; such is the anxious wish of the militia, and I have no doubt the soldiers under your command are equally, if not more desirous of the employment.

My anxiety on the subject, I trust, will excuse the appearance of any disrespect in making this communication, which is certainly far from my feelings. My confidence in the valour, ability, and prudence of general Harrison, will dispose me most cheerfully to submit to any arrangements he may be bound to make, however great may be my disappointment in their result.

I have the honour to be, with the utmost respect, your obedient servant,

Major-General Harrison. GEO. M'CLURE.

Dear Sir, *Head-Quarters, Newark, Nov.* 15, 1813.

Your letter to me of this morning has been received. I feel most severely the weight of the reasons which you urge for the prosecution of the intended expedition to Burlington. The disappointment, however, to the brave and patriotic men, who have turned out under the expectation of serving their country effectually in the field at this inclement season, is the most painful circumstance attending it, *as I am well convinced from the information received this morning and last evening that the enemy are removing as fast as possible from the head of the lake to Kingston*, which has been left with a very small part of the force that was lately there, and it is more than probable that should we advance in force, the enemy, having now none but effective men at Burlington, would destroy the stores which they have remaining there, and retreat too rapidly to be overtaken. There are considerations, however, which would make it extremely desirable to make an expedition of force in that quarter, but the orders I have received from the secretary of war leave me no alternative.

Commodore Chauncey is extremely pressing that the troops should immediately embark, declaring that the navigation at

this season to small vessels is very dangerous. The force at Sackett's Harbour is ———. The troops at York are all hastening down to Kingston.

Sackett's Harbour may be endangered by even a delay of a few days; and should the troops that are here not get down before the lake is frozen, *our fleet may be destroyed for the want of their aid.* I cannot, therefore, take upon myself the *responsibility of delaying their going down even a day.* Will you be so good, at a proper time, as to explain the above circumstances to the patriots who left their homes with the intention of assisting me to drive the enemy far from our borders, and assure them that I shall ever recollect with the warmest gratitude, the partiality they have been pleased to express for me, and their preference of serving under my command.

I will direct payment to be made to the volunteers for rations and forage in coming out.

Accept my best wishes for your health and happiness, and believe me sincerely, your friend,

General M'Clure. WM. HENRY HARRISON.

Extract of a Letter from Brigadier-General M'Clure to the Secretary of War, dated

Fort George, Nov. 21, 1813.

" My mounted men have returned from the head of the lake, having progressed within sight of the enemy's pickets at Stony creek. Colonel Wilcocks, who commanded, reports, that from the best information he could collect, the enemy's force consists of from 12 to 1500 regulars, and nine hundred Indian warriors. They have discharged their teams, and apparently intend wintering there and at Burlington.

" It would be very desirable to dislodge them from their position, but I fear my force is insufficient for that object. At this inclement season it might be attended with serious consequences to attempt any thing more than desultory excursions. The volunteers who have lately come in, must, however, be actively employed, or they will return to their homes. The drafted militia on this side the Niagara are, perhaps, equal to any troops in the United States. I regret that their term of service will expire so soon. Permit me to suggest the propriety of offering a small bounty to such of them as will volunteer to serve a longer time after their present term of service expires; say for one or two months, or until other troops can be sent on to supply their places.

" Should I move with my troops towards the head of the

lake, the greatest advantage I can promise myself, will be, to destroy some contiguous mills, and to bring off a quantity of flour, which is becoming scarce with us."

Sir, *Albany, 25th November*, 1813.

Your letter of the 17th instant has been received, and I hasten to inform you that a requisition for one thousand militia, to take the places of those now with you, has been made, and will be complied with as promptly as possible by the governor.

You say nothing of the volunteer corps which general Porter engaged to raise, and which was long since authorised by me. If in this effort he has failed, what are you to expect from militia drafts, with their constitutional scruples? On the other hand, should he have succeeded, and should general Harrison's opinion of the intentions and movements of the enemy be well founded, your force will be competent to somewhat more than defence.

The general was not under orders to quit the Niagara frontier at any particular time. His movement, in this respect, was matter of arrangement with commodore Chauncey, and this was necessarily subject to considerations arising from weather and season.

In the application of your present force, and in the means you take to enlarge and continue it throughout the winter, you will be guided by the orders received from the commanding general, at the time he left you, and by such others as he may give to you hereafter.

I am, sir, very respectfully, your obedient servant,

JOHN ARMSTRONG.

Brigadier-General M'Clure.

Extract of a Letter from Mr. Parker, C. C. of the War Department to General M'Clure, dated War Office, November 27, 1813.

"In the absence of the secretary of war, I have had the honour to lay before the president your letters of the 19th and 21st instant, with their inclosures. The measures which you have adopted to increase your command on the Niagara frontier are approved by the president.

"Should the men whose term of service expires in December withdraw from the frontier, there can be no impropriety in continuing the officers who compose the court martial, until they discharge that duty.

"Although there is no law authorising the president to

give a bounty to such militia as will remain in service after their time expires, still, as it would render your force more efficient than a new draft (even if the men could be obtained), I have no hesitation in recommending that you adopt such further measures as will insure the protection of fort George and the Niagara frontier, until other means of defence can be provided.

"For this purpose the paymasters, serving with your troops, may be required to make such payments or advances as you shall think proper to order."

Extract of a Letter from Brigadier-General M'Clure, (N. Y. Militia), to the Secretary of War, dated Niagara, Dec. 10, 1813.

"This day found fort George left to be defended by only sixty effective regular troops under captains Rodgers and Hampton of the 24th regiment of United States infantry, and probably forty volunteers. Within the last three days the term of service of the militia has been expiring, and they have re-crossed the river almost to a man. Foreseeing the defenceless situation in which the fort was left, I had authorised some of my most active subalterns to raise volunteer companies for two months, and offered a bounty in addition to the month's pay. It is with regret I have to say that this expedient failed of producing the desired effect. A very inconsiderable number indeed were willing to engage for a further term of service, on any conditions.

"From the most indubitable information, I learn that the enemy are advancing in force. This day a scouting party of colonel Wilcocks' volunteers came in contact with their advance at Twelve Mile creek, lost four prisoners and one killed; one of the former they gave up to the savages. This movement determined me in calling a council of the principal regular and militia officers left at fort George this morning. They all accorded in opinion that the fort was not tenable with the remnant of force left in it. I, in consequence, gave orders for evacuating the fort since dusk, and with but three boats have brought over all the light artillery, and most of the arms, equipage, ammunition, &c. and shall doubtless have time to dispose of the heavy cannon before the enemy makes his appearance. The village of Newark is now in flames—the few remaining inhabitants in it, having been noticed of our intention, were enabled to remove their property. The houses were generally vacant long before. This step has not been taken *without counsel, and is in con-*

formity with the views of your excellency, disclosed to me in a former communication

"The enemy are now completely shut out from any hopes or means of wintering in the vicinity of fort George. It is truly mortifying to me that a part of the militia at least could not have been prevailed on to continue in service for a longer term; but the circumstance of their having to live in tents at this inclement season, added to that of the paymaster's coming on only prepared to furnish them with *one*, out of *three* months pay, has had all the bad effects than can be imagined. The best and most subordinate militia that have yet been on this frontier, finding that their wages were not ready for them, became, with some meritorious exceptions, a disaffected and ungovernable multitude.

"December 11. I have this moment received a communication from the governor of this state, covering a requisition on major-general Hall for 1000 men. It is probable that not more than six or seven hundred will rendezvous on this frontier, which will, in my humble opinion, be not more than competent to its proper protection, as some will have to be stationed at Black Rock, Schlosser, and Lewistown.

"I have written to general P. B. Porter, desiring him to employ the Indians for the protection of Buffaloe until the detachment arrives. Our shipping is in danger. No exertion will be wanting, within the pale of our limited means, to afford the protection contemplated."

Letter from the Secretary of War to Major Lee, of the 16th Regiment of Infantry, Deputy Paymaster of the Army at Utica.

Sir, you will immediately take measures to pay off the brigade of M'Arthur (1300 men), at fort George, and the *militia*, *volunteers*, and *Indians* under general M'Clure. Send an assistant, without loss of time, on this business.

I am, &c.

JOHN ARMSTRONG.

Shelden's, Nov. 4, 1813.

Extract of a Letter from Brigadier-General George M'Clure, to the Secretary of War, dated Head-Quarters, Niagara, December 12, 1813.

"Since I last had the honour of writing you, the enemy has appeared in considerable force on the opposite shore; but having deprived them of a shelter, they are marching up to Queenstown, and appear to be fortifying on the heights. Several hundred Indians have appeared. I have prevailed

on lieutenant-colonel Greaves and about 100 of his regiment of artillerists to remain in the service one month longer, until the detachment of militia, which I have ordered, arrives here. I have directed the colonel, with two pieces of artillery, to Lewistown, to open a hot shot on Queenstown, and deprive them of quarters there also. You will observe from my despatch of yesterday, that every building in Newark is reduced to ashes. The enemy is much exasperated, and will make a descent on this frontier, if possible; but I shall watch them close with my handful of men, until a reinforcement of militia and volunteers arrive, when I shall endeavour to repossess myself of fort George, and drive them back to Burlington. I am not a little apprehensive that the enemy will take advantage of the exposed situation of Buffaloe and our shipping there. My whole effective force on this extensive frontier, including the garrison at fort Niagara, does not exceed 250 men. I have sent an express to Mr. Granger, the Indian agent, to call out the Indians; an exhibition of two or three hundred of them will strike more terror in the British than one thousand militia. Permit me to observe to you, sir, that it is all important that payment should be made punctually to the Indians every month, or at the expiration of the term they may volunteer for. They are a people that cannot be made to understand the difficulty of having funds here at all times for that purpose. I would beg leave to mention that Mr. Granger has interested himself warmly in support of the government, by his endeavours to have the Indians join us on every occasion, and accompanied me himself on my late expedition to the twenty——.

"This day I start to Buffaloe, which place I shall make my head-quarters. I will reinforce this garrison as soon as possible. In the mean time nothing shall be wanting on my part to promote the views of the government, and protect the defenceless inhabitants of this frontier."

Sir, *Head-Quarters, Buffaloe, Dec.* 22, 1813.

I regret to be under the necessity of announcing to you the mortifying intelligence of the loss of fort Niagara. On the morning of the 19th inst., about four o'clock, the enemy crossed the river at the "Five Mile Meadows," in great force, consisting of regulars and Indians, who made their way undiscovered to the garrison, which, from the most correct information I can collect, was completely *surprised.* Our men were nearly all asleep in their tents; the enemy rushed in and commenced a most horrid slaughter. Such as escaped

the fury of the first onset, retired to the old mess-house, where they kept up a destructive fire on the enemy, until a want of ammunition compelled them to surrender.

Although our force was very inferior and comparatively small, indeed, I am induced to think that the disaster is not attributable to *any want of troops*, but to *gross neglect* in the *commanding officer of the fort* (captain Leonard), in not preparing, being ready, and looking out for the expected attack.

I have not been able to ascertain correctly the number of killed and wounded. About twenty regulars have escaped out of the fort; some badly wounded. Lieutenant Peck, 24th regiment, is killed, and it is said three others.

You will perceive, sir, by the inclosed general orders, that I apprehended an attack, and made the necessary arrangements to meet it, but have reason to believe, from information received by those who have made their escape, that the commandant did not in any respect comply with those orders.

On the same morning, a detachment of militia under major Bennet, stationed at Lewistown heights, was attacked by a party of savages; but the major and his little corps, by making a desperate charge, effected their retreat after being surrounded by several hundred, with the loss of six or eight, who doubtless were killed, among whom were two sons of captain Jones, Indian interpreter. The villages of Youngs town, Lewistown, Manchester, and the Indian Tuscarora village were reduced to ashes, and the inoffensive inhabitants who could not escape, were, without regard to age or sex, inhumanly butchered by savages, headed by British officers painted. A British officer who is taken prisoner, avows that many small children were murdered by the Indians. Major Mallory, who was stationed at Schlosser, with about 40 Canadian volunteers, advanced to Lewistown heights, and compelled the advanced guard of the enemy to fall back to the foot of the mountain. The major is a meritorious officer. He fought the enemy two days, and contended every inch of ground to the Tantawanty creek. In these actions lieutenant Lowe, 23d regiment U. S. army, and eight of the Canadian volunteers were killed. I had myself, three days previous to the attack on Niagara, left it with a view of providing for the defence of this place, Black Rock, and the other villages on this frontier. I came here without troops, and have called out the militia of Genessee, Niagara, and Chateaugay counties, "*en masse*."

This place was then thought to be in most imminent dan-

ger, as well as the shipping, *but I have no doubt is now perfectly secure.* Volunteers are coming in in great numbers.

They are, however a species of troops that cannot be expected to continue in service for a long time. In a few days, one thousand detached militia, lately drafted, will be on.

I have the honour to be, your obedient humble servant,

GEO. M'CLURE,
Brigadier-General commanding.

The Honourable John Armstrong, Secretary of War.

December 15, 1813.

Abstract of the Morning Report of the Garrison of Fort Niagara, commanded by Captain Leonard.

Captain Leonard's company,	total present	74	absent	19
Captain Hampton's	do.	do.	88	do.	17
Lieutenant Peck's	do.	do.	118	do.	9
Lieutenant Frederick's	do.	do.	44		
		Total present	324	absent	45
		Aggregate	369		

LOOMIS, *Lieutenant and Acting Adjutant.*
JOHN WILSON, *Brigade-Major.*

Extract of a Letter from General George M'Clure to the Secretary of War, dated
Batavia, 25th December, 1813.

"It is a notorious fact, that on the night on which fort Niagara was captured, captain Leonard was much intoxicated and left the fort about 11 o'clock, P. M. I am assured that he has since given himself up; that he and family are now on the Canadian side of the strait. It was not without some reluctance that I left him in immediate command of the fort, but there was no alternative, as he outranked every other officer. His uniform attachment to the British men and measures, added to his not effecting his escape, when in his power, strengthens me in a suspicion that there was a secret understanding with regard to this disgraceful transaction.

"Permit me to suggest to you, sir, that unless regular troops are sent to this frontier immediately, the enemy will penetrate into the interior of our country, and lay waste all before them. The militia will do to act with regulars, but not without them. In spite of all my exertions to insure subordination, my late detachment ultimately proved to be very little better than an infuriated mob. It was not, however,

the fault of the privates, but of such officers as were seeking popularity, and who on that account were afraid of enforcing subordination and introducing strict discipline.

"I have collected from the different recruiting rendezvous about one hundred and twenty soldiers, and put them under the command of lieutenant Riddle of the 15th United States infantry, an excellent and deserving officer.

"I cannot conclude this communication without reporting the conduct of doctor Cyrenius Chapin (late lieutenant-colonel of volunteers); to him, in a great measure, ought all our disasters to be imputed. His publications in the Buffaloe Gazette, that the enemy had abandoned Burlington, I fear had the desired effect. I have found him an unprincipled disorganizer. Since dismissing him and his marauding corps, he has been guilty of the most outrageous acts of mutiny, if not of *treason*. When I came to Buffaloe, accompanied only by my suite, he headed a mob for the purpose of doing violence to my feelings and person; and, when marching to the Rock at the time of an alarm, five or six guns were discharged at me by his men."

Extracts of a Letter fom General Lewis Cass to the Secretary of War, dated

Williamsville, 11 *miles east of Buffaloe*, *Jan.* 12, 1814.

"I passed this day the ruins of Buffaloe. It exhibits a scene of distress and destruction, such as I have never before witnessed.

"The events which have recently transpired in this quarter have been so astonishing and unexpected, that I have been induced to make some inquiry into their causes and progress, and doubting whether you have received any correct information upon the subject, I now trouble you with the detail.

"The fall of Niagara has been owing to the most *criminal negligence*. The *force* in it was *fully competent to its defence*. The commanding officer, captain Leonard, it is confidently said, was at his own house three miles from the fort, and all the officers appear to have rested in as much security as though no enemy was near them. Captain Rodgers and captain Hampton, both of the 24th, had companies in the fort. Both of them were absent from it. Their conduct ought to be strictly investigated. I am also told that major Wallace of the 5th was in the fort. He escaped, and is now at Erie.

"The circumstances attending the destruction of Buffaloe you will have learned before this reaches you. But the *force* of the enemy has been *greatly magnified*. From the most

careful examination I am satisfied that not more than *six hundred and fifty* men of regulars, militia, and Indians, landed at Black Rock. To oppose these we had from *two thousand five hundred* to *three thousand* militia. All, except a very few of them, behaved in a most cowardly manner. They fled without discharging a musket. The enemy continued on this side of the river till Saturday. All their movements betrayed symptoms of apprehension. A vast quantity of property was left in the town uninjured, and the Ariel, which lies four miles above upon the beach, is safe. Since the 1st instant they have made no movement. They continue in the possession of Niagara, and will probably retain it, until a force competent to its reduction arrives in its vicinity."

Robert Lee, late of Lewistown, in the county of Niagara, and state of New York, gentleman, of the age of forty-two years, being sworn on the holy evangelists, deposeth and saith, that some seven weeks immediately preceding the 19th of December last, he, this deponent, resided in fort Niagara, for the purpose of attending to private business; that about four o'clock in the morning of the 19th, the said fort was attacked or entered by the British. The garrison was not alarmed when the enemy entered the gates of the fort. Some firing took place after they entered the works, particularly between the guard at the south-east block house, and the sick in the hospital at the red barracks, on the part of the Americans with the enemy. This deponent is positive that there were about 400 men of all descriptions immediately before taken, and that 350 of that number were capable of bearing arms in that way, viz.: firing on the enemy from the block houses, &c. The principal resistance the enemy met with, was from the sick in the red barracks, and the guard at the south-east block house before mentioned. The sick in the red barracks, as this deponent is informed, and from what he saw, he believes were nearly all slaughtered. The British force that took possession of the fort were in number about 400, commanded by colonel Murray, who was wounded in the arm in entering the gate, and was succeeded in command by colonel Hamilton. From the British order of congratulation that issued on the same morning, it appeared that the Americans had lost 65 killed and 15 wounded, which wounds were principally by the bayonet, as expressed in the order; but the above order issued very soon after they took possession of the fort, and did not include a number that were afterwards found bayoneted in the cellars of the houses. This deponent thinks

that our loss in killed in the whole amounted at least to eighty. It was a matter of frequent conversation and exultation among the British non-commissioned officers and soldiers, while this deponent was under guard, that they bayoneted the Americans, notwithstanding their crying out for quarter. A subaltern officer and about 20 privates made their escape from the fort by scaling the pickets. Captain Leonard, the American commander, was, at the time the fort was taken, at his farm, about two miles distant, and hearing the attack, made towards the fort, and at no great distance from it was made prisoner by the enemy, and was kept in close confinement for two days and a half, and how much longer this deponent does not know. The American soldiers were kept in close miserable confinement, without the use of provisions, and with a very scanty supply of wood and water; at the expiration of which the citizens and soldiers were crossed over the river, and lodged in a part of what had been the British magazine at fort George, the residue in open plank and board huts; in both situations it was impossible to lie down. The magazine was so filthy that many of the prisoners became infested with vermin, and in that situation remained seven days. The citizens were then removed to a brick building up near Queenstown, where they were so much crowded that no kind of comfort was to be taken either by day or night.

The supply of provisions was not only scanty, but of the very worst kind; beef of the most inferior and repulsive quality; and bread, the quality of which cannot be described. The water that they used, both there and at the magazine, they had to purchase. This deponent believes that through the influence of an individual in Upper Canada, himself, together with ten other American citizens, were permitted, on the 13th instant, to cross to the United States. The residue of the citizens, to the amount of about seventy, were marched, on the 12th, under a strong guard, to Burlington heights; and this deponent was informed, that from thence they would be sent to Kingston. The women and children taken at and near Lewistown, were stripped of their clothing and taken across the river. And further this deponent saith not.

(Signed) ROBERT LEE.

Sworn to and subscribed this 18th day of January, 1814, before me,

(Signed) J. HARRISON,
Master in Chancery.

Message from the President of the United States, recommending a Repeal of the Embargo and the Restrictive System, so far as relates to Nations in Amity with the United States; also recommending Measures for the Encouragement of American Manufactures, and advising the Prohibition of the Exportation of Specie.

To the Senate and House of Representatives of the United States,

Taking into view the mutual interest which the United States and the foreign nations in amity with them have in a liberal commercial intercourse, and the extensive changes favourable thereto which have recently taken place: taking into view also the important advantages which may otherwise result from adapting the state of our commercial laws to the circumstances now existing:

I recommend to the consideration of congress the expediency of authorising, after a certain day, exportations, specie excepted, from the United States, in vessels of the United States, and in vessels owned and navigated by the subjects of powers at peace with them; and a repeal of so much of our laws as prohibits the importation of articles not the property of enemies, but produced or manufactured only within their dominions.

I recommend also, as a more effectual safeguard and encouragement to our growing manufactures, that the additional duties on imports which are to expire at the end of one year after a peace with Great Britain, be prolonged to the end of two years after that event; and that, in favour of our moneyed institutions, the exportation of specie be prohibited throughout the same period.

JAMES MADISON.

March 31*st*, 1814.

Message from the President of the United States, communicating Information touching our Relations with France, in compliance with a Resolution of the 13*th instant.*

To the House of Representatives of the United States,

I transmit to the house of representatives a report of the secretary of state, complying with their resolution of the 13th instant.

JAMES MADISON.

April 16, 1814.

REPORT.

The secretary of state, to whom was referred the resolution of the house of representatives of the 13th instant, requesting information touching our relations with France, has the honour to submit to the president an extract of the letter from the minister plenipotentiary of the United States at Paris, which contains the latest, and the only material information received by this department on that subject.

All which is respectfully submitted.

JAMES MONROE.

Department of State, April 16, 1814.

Extract of a Letter from Mr. Crawford to the Secretary of State, dated

Paris, January 16, 1814.

"On the 29th ultimo I had an interview with the minister of exterior relations, who informed me that he had made to the emperor a detailed report of the negotiation, and that he would inform me of his majesty's decision the moment it should be made known to him. His conversation during this interview was as conciliatory as it could be, and his expressions, though still general, admitted that indemnity was determined upon.

"The address of the senator, count Segur, to the inhabitants of the 18th military division of the empire, published in the Moniteur of the 15th instant, stated that his majesty was going to place himself at the head of his troops. Knowing that I should not be able to advance a single step in the negotiation during his absence, unless he should, before his departure from Paris, decide upon the classes of cases for which indemnity should be made, I determined to address a note to the duke of Vicence, with a view to impress more strongly upon his mind the necessity of an immediate decision. The day on which I intended to present this note I was informed that the duke of Vicence had set out from Paris at four o'clock, A. M., for the head-quarters of the two emperors, which was then said to be in Switzerland. The general impression in Paris that day was, that the emperor would set out immediately for Metz, where his army of reserve has been forming ever since he crossed the Rhine. This circumstance induced me to believe that the note would not produce any good effect; I therefore determined not to present it. The emperor is still in Paris, and I regret extremely that I did not adhere to my first determination, notwithstanding the absence of the minister of foreign relations.

From the situation of affairs here, it is impossible to foresee the delays to which this perplexing business will yet be subject. In the first and only interview which I had with the duke of Bassano, he said expressly that the obstacles which his absence had thrown in the way of the negotiation should not occur again; two months have not elapsed before the same obstacles are presented."

Message from the President of the United States, transmitting a Report from the acting Secretary of the Treasury in compliance with the Resolution of the Senate of the thirteenth instant.

To the Senate of the United States,

I transmit to the senate a report of the acting secretary of the treasury, complying with their resolution of the 13th instant.

December 20th, 1813. JAMES MADISON.

Sir, *Treasury Department, December 16th*, 1813.

In compliance with the resolution of the senate of the 13th instant, I have the honour to state:

That the amount of duties accruing on goods, wares, and merchandise imported into the United States, from the 1st day of July, 1812, to the 31st day of December, of the same year, for which period the accounts of the collectors of the customs are settled, was	$ 9,869,199 31
And the amount of tonnage, including light money, accruing during the same period, was	92,297 70
	$ 9,961,497 01

The accounts of the collectors from the 1st day of January, 1813, to the 30th day of September, of the same year, have been but partially settled; and some for the quarter ending the 30th of September have not yet been received at the treasury. For this period, therefore, an estimate only can be given, taken from the accounts of the collectors, *as rendered* to the treasury, and in some cases from their less formal returns. This estimate is as follows:

Duties on goods, wares, and merchandise imported:

For the 1st quarter of the year 1813			$ 2,280,000
2d	do.	do.	2,356,000
3d	do.	do.	1,380,000
			$ 6,016,000

Tonnage duties, including light money:

For the 1st quarter of the year 1813			$ 89,000
2d	do.	do.	84,000
3d	do.	do.	67,000
			$ 240,000

The sums above stated, for duties on merchandise imported, are without deduction for drawbacks paid on merchandise re-exported. These drawbacks paid from the 1st of July to the 31st December, 1812, amounted, by the accounts as settled, to $ 639,555 44.

And they are estimated to have amounted during the three first quarters of the year 1813, to the following sums, viz.:

During the 1st quarter of the year 1813, to			$ 536,000
2d	do.	do.	229,000
3d	do.	do.	148,000
			$ 913,000

I have the honour to be, with the highest respect, sir, your most obedient servant,

W. JONES,
Acting Secretary of the Treasury.

The President of the United States.

Message from the President of the United States, transmitting a Report from the acting Secretary of the Treasury, in compliance with a Resolution of the thirty-first of December, 1813.

To the Senate of the United States,

I transmit to the senate a report of the acting secretary of the treasury complying with their resolution of the 31st of December, 1813.

JAMES MADISON.

January 10*th*, 1814.

Sir, *Treasury Department, January 5th*, 1814.

The resolution of the senate, of the 31st of December last, requests the president of the United States to cause to be laid before that body a statement of all articles manufactured or composed of wool, or of which wool is the material of chief value, of all articles manufactured or composed of cotton, or of which cotton is the material of chief value; and also the value of all spirits distilled from the sugar cane, or from the produce of the sugar cane, which have been imported into the United States since the year 1804, specifying the amount of the said articles imported in each year.

I have the honour to state that the accounts rendered to the treasury by the collectors of the customs do not contain the information required by the above resolution, and that the materials for furnishing the statements requested do not exist at the treasury.

Articles manufactured or composed of wool or of cotton are, with a great variety of other articles, subject, on importation, to the payment of an ad valorem duty. They are not distinguished in the accounts and returns from other articles paying the same ad valorem duties; and no means exist, therefore, at the treasury, for ascertaining their amount or value.

Spirits distilled from the sugar cane, or the produce of the sugar cane, are liable to the same duty on importation as spirits distilled from any other material except from grain, and therefore are not distinguished in the treasury accounts from brandies, or spirits distilled from fruit. As the spirits imported from the West Indies are, however, known to consist almost wholly of spirits distilled from the produce of the sugar cane, a statement has been prepared exhibiting the quantity of spirits imported from thence for each year since 1804. The value of these spirits has been estimated from the prices-current returned by the collectors of the customs with their quarterly abstracts of exports for each year, and is annexed to the statement.

I have the honour to be, very respectfully, sir, your most obedient servant,

W. JONES,
Acting Secretary of the Treasury.

The President of the United States.

Statement exhibiting the quantity and estimated value of spirits distilled from other materials than grain, imported into the United States from West Indies and American colonies.

From the 1st October, 1804, to the	*Galls.*	*Dolls.*
30th September, 1805,	6,563,972	6,170,133
1806,	7,576,379	7,197,560
1807,	6,382,764	5,808,315
1808,	4,694,105	4,130,812
1809,	3,086,509	3,364,294
1810,	4,185,783	4,604,361
1811,	3,636,830	5,455,245
1812,	3,763,959	6,022,334
Total	39,890,301	42,753,054

Note.—The value has been estimated agreeably to the prices current returned by the collectors of the customs in their quarterly abstracts of exports for each year.

Treasury Department, Register's Office, Jan. 5th, 1814.

JOSEPH NOURSE, *Register.*

[A report of the secretary of state on the subject of retaliation was laid before the senate, in compliance with their resolution calling for information on the subject. Owing to the destruction of the public buildings at Washington by the enemy, we were unable to procure a copy of this report in time for publication in its proper place, but we shall endeavour to procure it for a subsequent volume.]

Letter from the Secretary of the Treasury, transmitting his Annual Report, prepared in obedience to the act supplementary to the act, entitled "An act to establish the Treasury Department."

Sir, *Treasury Department, January* 8, 1814.

I have the honour to inclose a report prepared in obedience to the act supplementary to the act, entitled "An act to establish the treasury department."

I have the honour to be, very respectfully, sir, your obedient servant,

W. JONES,
Acting Secretary of the Treasury.

The Honourable the Speaker
of the House of Representatives.

In obedience to the directions of the "Act supplementary to the act, entitled "An act to establish the Treasury Department," the acting Secretary of the Treasury respectfully submits the following

REPORT AND ESTIMATES:

The monies actually received into the treasury, during the year ending on the 30th of September, 1813, have amounted to $ 37,544,954 93, *viz:*

Proceeds of the customs, sales of lands, small branches of revenue, and re-payments,		13,568,042 43
Proceeds of loans, viz.		
Loan of eleven millions, under the act of March 14, 1812,	4,337,487 50	
Ditto of sixteen millions, under the act of February 8, 1813,	14,488,125	
Treasury notes under the acts of June 30, 1812, and February 25, 1813,	5,151,300	
		23,976,912 50
As will appear by the annexed statement E.		37,544,954 93
Making, together with the balance in the treasury on the 1st of October, 1812, which was		2,362,652 69
An aggregate of		39,907,607 62

The payments during the same period have amounted to $ 32,928,855 19, *viz:*

For civil, diplomatic, and miscellaneous expenses, both foreign and domestic,		1,705,916 35
Military department, including militia and volunteers, and the Indian department,		18,484,750 49
Navy, including the building of new ships, and the marine corps,		6,420,707 20
Public Debt:		
On account of interest,	3,120,379 08	
Principal reimbursed,	3,197,102 07	
		6,317,481 15
As will also appear by the annexed statement E.		32,928,855 19
And left in the treasury on the 30th of September last,		6,978,752 43
		39,907,607 62

The accounts for the fourth quarter of the year 1813 have not yet been made up at the treasury, but the receipts and expenditures during that quarter have been nearly as follows:

Receipts from the customs, sales of lands, and small branches of the revenue, about	3,300,000	
Loan of sixteen millions,	1,500,000	
Ditto of seven and a half millions,	3,850,000	
Treasury notes,	3,680,000	
Making with the balance in the treasury on the 1st of October, 1813, of	6,978,752	43
An aggregate of about	19,309,000	
The disbursements have been,		
For civil, diplomatic, and miscellaneous expenses, about	400,000	
Military department,	5,887,747	
Naval department,	1,248,145	10
Public debt, (of which near 6,000,000 was on account of the reimbursement of principal)	7,087,994	95
And leaving in the treasury, on the 31st December, 1813, about	4,685,112	95
	19,309,000	

Of the sums obtained on loan during the year 1813, and included in the receipts above stated, an account of the terms on which they were made has been laid before congress, excepting as to the treasury notes issued under the act of February 25th, 1813, and the loan of seven and a half millions obtained under the authority contained in the act of the 2d of August, 1813. The annexed statement marked F. will show the whole amount received for treasury notes during the year 1813, and at what places they were sold or disposed of. Three millions, eight hundred and sixty-five thousand, one hundred dollars, of the notes issued under the act of June 30th, 1812, became due in the course of the year 1813, or in the present month of January, and have been paid off, or the funds placed in the hands of the commissioners of loans for that purpose.

The papers under the letter G. will show the measures taken under the act of August 2d, 1813, authorizing a loan of seven millions, five hundred thousand dollars, and the manner in which that loan was obtained. The terms were 88 dollars and 25 cents, in money, for 100 dollars in stock, bearing an interest of six per cent.; which is equivalent to a

premium of 13 dollars 31 cents and four-ninths of a cent on each hundred dollars, in money, loaned to the United States. Of this sum of 7,500,000 dollars, about 3,850,000 dollars were paid into the treasury during the year 1813, and the remainder is payable in the months of January and February, 1814.

For the year 1814, *the expenditures, as now authorised by law, are estimated as follows:*

1. Civil, diplomatic, and miscellaneous expenses,		$ 1,700,000
2. Public debt, viz.:		
Interest on the debt existing previous to the war,	2,100,000	
Ditto on debt contracted since the war, including treasury notes and loan for the year 1814,	2,950,000	
Reimbursement of principal, including the old six and deferred stocks, temporary loans and treasury notes,	7,150,000	
		12,200,000
3. Military establishment, estimated by the secretary of war for a full complement (including rangers, sea-fencibles, and troops of all descriptions) of 63,422 officers and men, and including ordnance, fortifications, and the Indian department, and the permanent appropriations for Indian treaties, and for arming and equipping the militia,		24,550,000
4. Navy, estimated for 15,787 officers, seamen, and boys, and 1,869 marines, and including the service of two 74 gun ships for four months, and three additional frigates for six months of the year 1814, and the expenses of the flotillas on the coast and on the lakes,		6,900,000
Amounting altogether to		$ 45,350,000

The ways and means already provided by law are as follows:

1. Customs and sales of public lands. The net revenue accruing from the customs during the year 1812 amounted, as will appear by the annexed statements A. and B. to 13,142,000 dollars. Of this sum, about 4,300,000 was pro-

duced by the additional duties imposed by the act of July 1, 1812. The duties which have accrued during the year 1813, are estimated at 7,000,000 dollars. The custom-house bonds outstanding on the 1st of January, 1814, after making a due allowance for insolvencies and bad debts, are estimated at 5,500,000 dollars; and it is believed that 6,000,000 dollars may be estimated for the receipt of the customs during the year 1814. The sales of public lands during the year ending September 30th, 1813, have amounted to 256,345 acres, and the payments by purchasers to 706,000 dollars, as will appear by the annexed statement C. It is estimated that 600,000 dollars will be received into the treasury from this source during the year 1814. The sum, therefore, estimated as receivable from customs and lands, is $ 6,600,000

2. Internal revenues and direct tax. From the credits allowed by law on some of the internal duties, and from the delays incident to the assessment and collection of the direct tax, it is not believed that more ought to be expected to come into the treasury during the year 1814, than the sum of 3,500,000

3. Balance of the loan of seven and a half milions already contracted for 3,650,000

4. Balance of treasury notes already authorized, 1,070,000

5. Of the balance of cash in the treasury on the 31st December, 1813, amounting, as is above stated, to about 4,680,000

There will be required to satisfy appropriations made prior to that day, and then undrawn, at least 3,500,000

And leaving applicable to the service of the year 1814, 1,180,000

16,000,000

So that there remains to be provided by loans, the sum of 29,350,000

$ 45,350,000

Although the interest paid upon treasury notes is considerably less than that paid for the monies obtained by the United States on funded stock, yet the certainty of their reimbursements at the end of one year, and the facilities they afford for remittances and other commercial operations, have obtained for them a currency which leaves little reason to doubt that they may be extended considerably beyond the sum of five millions of dollars, hitherto authorised to be annually issued. It will, perhaps, be eligible to leave to the executive, as was done last year, a discretion as to the amount to be borrowed upon stock or upon treasury notes, that one or the other may be resorted to, within prescribed limits, as shall be found most advantageous to the United States.

The amount estimated to have been reimbursed of the principal of the public debt during the year ending on the 30th of September last, including treasury notes and temporary loans, will appear by the estimate marked D. to have been 3,201,368 dollars. As the payments on account of the loan of sixteen millions had not then been completed, and the stock had, consequently, not been issued therefor, it is not practicable to state with precision the amount added to the public debt during that year; but after deducting the abovementioned reimbursement of 3,200,000 dollars, this addition will not fall short of 22,500,000 dollars.

The plan of finance proposed at the commencement of the war, was to make the revenue, during each year of its continuance, equal to the expenses of the peace establishment, and of the interest on the old debt then existing, and on the loans which the war might render necessary; and to defray the extraordinary expenses of the war out of the proceeds of loans to be obtained for that purpose.

The expenses of the peace establishment, as it existed previous to the armaments of 1812, made in contemplation of war, but including the eight regiments added to the military establishment in the year 1808, and the augmentation of the navy in actual service, authorized in 1809, amounted, after deducting some casual expenses of militia and other inci-

dental items, to about		$ 7,000,000
The interest on the public debt, payable during the year 1814, will be;		
On the old debt, or that existing prior to the present war,	$ 2,100,000	
On the debt contracted since the commencement of the war, including treasury notes and allowing 560,000 dollars for interest on the loan which must be made during the year 1814, a sum as small as can be estimated for that object,	2,950,000	
		5,050,000
Making		$ 12,050,000

The actual receipts into the treasury from the revenues as now established, including the internal revenues and direct tax, are not estimated for the year 1814, at more than $ 10,100,000 viz.:

From customs and public lands,	6,600,000	
Internal revenues and direct tax,	3,500,000	
		10,100,000

If to this sum be added that part of the balance in the treasury on the 31st December, 1813, which has been estimated above, to be applicable to the expenses of the year 1814, and which, upon the principles above stated, may be considered as a surplus of revenue beyond the expenses of the peace establishment, and of the interest on the public debt for the year 1813, and therefore applicable to the same expenses for the year 1814, which sum is estimated at 1,180,000

And making together,	11,280,000
There will still remain to be provided, new revenues capable of producing,	770,000
	12,050,000

But as the internal revenues and direct tax, when in full operation, will produce, in the year 1815, probably 1,200,000 dollars more than is estimated to be received from them in the year 1814, it will rest with congress to decide whether it is necessary that new and additional revenues should now be established. To what extent the existing embargo may reduce the receipts into the treasury from the customs during the year 1815, it is difficult to estimate, as the operation of the war had reduced the receipts from the customs nearly one half from that which was received during the year preceding the war. The former embargo reduced the revenue from the customs nearly one half the amount of that which was received during the year preceding its full operation. In this case, however, the transition was from the full receipt of a peace revenue, to the entire suspension of exportation and of foreign commerce in American bottoms. It is not, therefore, to be presumed, that the existing embargo will cause a reduction of the war revenue in the proportion of the peace revenue. Moreover, the effect of the act prohibiting the importation of certain articles, necessarily increases the demand and enhances the value of those which may be lawfully imported, and the high price they bear will produce extraordinary importations, and in part compensate for the prohibition to export any thing in return: to this may be added, the duty on salt, the operation of which is yet but partial.

To the amount of the defalcation of the revenue caused by the embargo, whatever it may be, must be added the difference between the amount of the interest payable in the year 1814, on the loan of that year, and the whole amount of the interest on the said loan payable in the year 1815, as well as that part of the interest which may be payable in the year 1815, on the loan of that year. The sum of these items will be required for the year 1815, in addition to the revenues now established, except 430,000 dollars, being the difference between the estimated increase in the receipt of the internal revenues and direct taxes and the 770,000 dollars remaining to be provided for in the foregoing estimate.

With these considerations it is submitted, whether it may not be expedient and prudent to provide new revenues capable of producing either the whole or such part of the 770,000 dollars unprovided for, as may appear necessary to fulfil the public engagements, and secure to the financial operations of the government, the confidence, stability, and success which is due to its fidelity and to the ample resources of the country.

All which is respectfully submitted,

W. JONES, *Acting Secretary of the Treasury.*

Treasury Department, January 8, 1814.

A.

A statement exhibiting the amount of duties which accrued on merchandise, tonnage, passports, and clearances, of debentures issued on the exportation of foreign merchandise, of payments for bounties and allowances, and for expenses of collection, during the years 1811 and 1812.

	1811.	1812.
Duties on merchandise	10,427,412 21	14,990,188 51
tonnage	124,363 30	155,353
passports and clearances	19,737 70	14,928
Debentures issued	2,227,245	1,542,622 19
Bounties and allowances	784 13	
Gross revenue	8,343,484 8	(a)13,617,847 32
Expenses on collection	440,929 46	475,838 95
Net revenue	7,902,559 62	13,142,008 37

(a) Gross revenue for the year 1812,	13,617,847 32
Deduct interest and storage,	31,008 33
Gross revenue per statement B.	$ 13,586,838 99

A statement of the amount of the American and foreign tonnage employed in the foreign trade for the year 1812, as taken from the records of the treasury.

American tonnage in foreign trade,	*Tons*, 667,999
Foreign tonnage,	47,099
Total amount of tonnage employed in the foreign trade of the United States,	715,098
Proportion of foreign tonnage, to the whole amount of tonnage employed in the foreign trade of the United States,	6.6 to 100

B.

A statement exhibiting the value and quantities respectively of merchandise on which duties actually accrued during the year 1812, (consisting of the difference between articles paying duty, imported, and those entitled to drawback, re-exported) and also the net revenue which accrued during that year, from duties on merchandise, tonnage, passports, and clearances.

Goods paying Duties ad valorem.

3,576,643	dollars at	12½	per cent.	447,080 38
14,844,367		25		3,711,091 75
893,846		15		134,076 90
4,35,4056		30		1,306,216 80
49,506		20		9,901 20
108,996		40		43,598 40
————	adl. duty on $23,827,414 at	2½	per cent.	595,685 35
23,827,414				
				6,247,650 78
Spirits,	2,764,135 gals. at	27.6	cents, average	761,721 68
Do.	1,338,593	56.6		758,760 78
Sugar,	38,647,755 pounds	2.5		979,552 48
Do.	21,518,327	5		1,078,569 25
Wines,	789,413 gals. at	29.4		232,040 97
Do.	662,499	58.3		385,958 82
Teas,	2,258,514 lbs. at	21.4		484,541 32
Do.	385,815	44.9		173,068 30
Coffee,	10,994,700	5	cents.	549,735
Do.	5,155,476	10		515,547 60
Molasses,	5,651,471 gals. at	5		282,573 55
Do.	1,721,977	10		172,197 70
All other articles,				488,131 88
				$ 13,110,050 11
To which add				
Duties collected on merchandise, the particulars of which could not be ascertained, after deducting therefrom duties refunded and difference in calculation,				85,085 63
				13,195,135 74
3½ per cent. retained on drawback,				55,974 97
Extra duty of 10 per cent. on merchandise imported in foreign vessels,				21,278 65
Do.	15½ per cent.	do.	do.	144,168 63
Net amount of duties on merchandise,				13,416,557 99
Duties on tonnage,				131,325 1
Light money,				24,027 99
Duties on passports and clearances,				14,928
Gross revenue, as per statement A.				13,586,838 99
Deduct expenses on collection,				475,838 95
Net revenue,				13,111,000 4

C.

Statement of the lands sold in the districts of Marietta, Zanesville, Steubenville, Canton, Chillicothe, Cincinnati, Jeffersonville, and Vincennes, from the 1st October, 1812, to the 30th September, 1813; shewing also the amount of receipts from individuals and payments made by receivers during the same time, with the balance due, both on 1st October, 1812, and 1st October, 1813.

Lands sold, after deducting lands reverted, acres 256,345 58*
Purchase money, $ 560,540 58
Lands reverted, acres 123,571 44
In the hands of the receivers, Oct. 1, $ 1812, 184,094 13¾
Due by individuals, Oct. 1, 1812, $ 1,599,106 33½

Receipts by Receivers.

On account of purchase money, $ 643,055 75¼
On account of forfeitures, $ 63,262 8

Payments by Receivers.

Into the treasury, $ 761,568 35
The part for expenses, $ 25,669 95½
Repayments, $ 1,824 92

Balance Due, Oct. 1, 1813.

From individuals,		1,483,861 10¼
By receivers,		101,348 74½
Total balance due Oct. 1, 1813,		1,585,209 84¾

Total Sales of Land.

	Acres.	*Dollars.*
From the opening of the land offices to Oct. 1, 1812,	3,766,508 8¼	7,980,484 36
Amount sold since, as above stated,	256,345 58	560,540 58
	4,022,853 66¼	8,541,024 94
Deduct lands reverted at Vincennes; the quantity reverted there during the last year being greater than the quantity sold there during that period, could not be deducted from the sales at that office,	16,365 03	32,730 06
	4,006,488 63¼	8,508,294 88

* The total quantity sold at Vincennes is included in this statement. The lands reverted exceeded the lands sold in that office, during the period embraced by this statement.

Balance due by individuals 30th Sept. 1812,	1,599,106	33½
Amount of lands sold since,	560,540	58
	2,159,646	91½
Deduct amount of lands reverted at Vincennes,	32,730	6
	2,126,916	85½
Received on account of purchase money,	643,055	75¼
Balance due by individuals as above,	$ 1,483,861	10¼

General Land Office, December 20, 1813.

EDWARD TIFFIN,

Commissioner of the General Land Office.

C a.

Statement of the lands sold in the Mississippi territory, from the 1st of October, 1812, to the 30th of September, 1813; shewing also the amount of receipts from individuals and payments made by receivers, during the same time, with the balance due, both on the 1st of October, 1812, and on the 1st of October, 1813.

Lands sold, after deducting lands reverted, acres 30,260 88
Purchase money, $ 60,658 86
Lands reverted, acres 1,607 78
In hands of receivers, Oct. 1, 1812, $63,809 32¾
Due by individuals, Oct. 1, 1812, $653,068 18¾

Receipts by Receivers.

On account of purchase money, $83,452 41
On account of forfeitures, $144 36

Payments made by Receivers.

Into the treasury, $59,649 73
The part for expenses, $4,114 59
Repayments, $292 82

Balance Due Oct. 1, 1813.

From individuals,	630,274 63¾
By receivers,	83,348 95¾
Total balance due,	713,623 59½

Total Sales of Land.

	Acres.	*Dollars.*
Amount of lands sold from opening of the land offices to Oct. 1, 1812,	484,181 89	1,003,173 2¾
Amount sold since, as above stated,	30,260 88	60,658 86
	514,442 77	1,063,831 88¾

Note. The land sold east of Pearl river, since July 1, 1813, are not included, the returns not having arrived. The payments made by the receivers east of Pearl river are not stated, several of his returns not having arrived. Both of those omissions will be brought into the next annual statement.

EDWARD TIFFIN,
Commissioner of the General Land Office.

D.

An estimate of the principal redeemed of the debt of the United States, from the 1st October, 1812, to the 30th September, 1813, and also from the 1st April, 1801, to the 30th September, 1812.

Redemption from 1st October, 1812, to 30th September, 1813.

The amount of warrants issued on the treasurer of the United States, on account of the interest of the domestic debt, and of the reimbursement of the old six per cent. and deferred stocks, from 1st October, 1812, to the 30th September, 1813, exclusive of a re-payment of $ 2002 43, and of the reimbursement of the residue of the converted six per cent. stock, and of the purchase of Louisiana stock, six per cent. stock of 1812, and of deferred stock, as stated below, was	$ 3,904,161 43	
Deduct interest, which accrued during the same period, calculated quarter-yearly,	2,410,362 83	
Reimbursement of the old six per cent. and deferred stocks,		1,493,798 60
Ditto of the converted stock,		565,318 41
Purchase of Louisiana six per cent. stock, (cost $ 205,021 76)		208,000
Ditto of six per cent. stock of 1812, (cost $ 322,960 35)		324,200
Ditto of deferred stock, (cost $ 9,601 77)		9,650 20
Payments to foreign officers, and for certain parts of the domestic debt,		401 18
Reimbursement of domestic loans,		100,000
Ditto of treasury notes,		500,000
		3,201,368 39

Redemption from the 1st April, 1801, to the 30th September, 1812, per the Secretary's Report of 4th December, 1812.

Reimbursement of the old six per cent. and deferred stocks,	14,836,442	96
Ditto of the navy six per cent. stock,	711,700	
Ditto of the 5½ per cent. stock,	1,847,500	
Ditto of the 4½ per cent. stock,	176,000	
Ditto and purchase of 8 per cent. stock,	6,359,600	
Ditto ditto of exchange stock,	6,293,351	12
Ditto of the converted stock,	1,294,452	29
Purchase of Louisiana six per cent. stock, (cost $ 205,021 76)	118,500	
Payments for lands in certificates of the debt of the United States,	268,240	70
Ditto to foreign officers, and for certain parts of the domestic debt,	92,009	89
Reimbursement of domestic loans,	3,440,000	
Ditto of the foreign debt,	10,075,004	
	45,512,800	96
Total principal redeemed from 1st April, 1801, to 30th September, 1813,	48,714,169	35
The amount of stock purchased during the year ending on the 30th September, 1813, was $ 541,450 20, viz.:		
Louisiana stock,	208,000	
Six per cent. stock of 1812,	324,200	
Deferred stock,	9,650	20
	541,850	20
The sum paid from the treasury for the same, was	537,583	88
Making a difference of	4,266	32
Which sum, deducted from that here stated as the amount of debt redeemed in the year ending September 30, 1813, viz.:	3,201,368	39
Shews the amount actually paid from the treasury, during that year, on account of the reimbursement of the principal of the public debt,	3,197,102	07

Treasury Department, Register's Office, January 8, 1814.

JOSEPH NOURSE, *Register.*

E.

Statement of Receipts and Payments at the Treasury of the United States, from October 1, 1812, to September 30, 1813.

Cash in the treasury, subject to warrant, October 1, 1812,		2,362,652	69
Received for the proceeds of the			
Customs,		12,596,491	55
Arrears of internal revenues and direct tax,		8,179	88
Sales of public lands,		830,671	53
Copper coinage,		6,960	
Fees on patents,		5,730	
Postage of letters,		39	70
Saline near the Wabash,		7,400	
Public property sold,		346	30
Consular receipts for seamen,		145	28
Fines, penalties, and forfeitures,		2,422	46
Prize money,		80,694	32
Interest on treasury notes,		300	
Repayments,		28,661	41
Loan of eleven millions, per act of March 14, 1812,		4,337,487	50
Ditto of sixteen millions, per act of February 8, 1813,		14,488,125	
Treasury notes, per act of June 30, 1812,	4,898,300		
Ditto, per act of February 25, 1813,	253,000		
		5,151,300	
Dollars,		39,907,607	62

Payments on the following accounts, viz.:

Civil and miscellaneous expenses, both foreign & domestic:		
Civil department proper,	845,719	66
Grants and miscellaneous claims,	105,875	83
Military pensions,	87,103	72
Light house establishment,	138,369	35
Marine hospital establishment,	53,296	45
Mint establishment,	15,057	79
Public buildings in Washington, and furniture for the President's house,	18,073	
Prisoners of war,	111,093	42
Second and third census,	2,477	12
Contingent expenses of government,	645	
Purchase of books for congress,	1,000	
Privateer pension fund,	8,197	27
Ascertaining land titles in Louisiana,	8,422	80
Surveys of public lands,	17,175	88
Survey of the coast of the United States,	3127	50
Cumberland road,	53,358	99
Roads in Ohio, & under the treaty of Brownstown,	27,500	
Trading houses with the Indians,	16,883	28
Diplomatic department,	27,600	61
Contingent expenses of foreign intercourse,	69,762	47
Treaties with Mediterranean powers,	51,045	
Relief and protection of seamen,	39,443	71
Claims on France,	4,687	50
Military expenses, viz.:		
Military department, fortifications, ordnance, militia, volunteers,	18,291,991	49
Indian Department,	192,759	
Naval expenses, viz.:		
Naval department, marine corps, navy-yards,	6,420,707	20
Public Debt, viz.:		
Interest and charges,	3,120,379	8
Reimbursement of principal,	3,197,102	7
Balance in the treasury subject to warrant, September 30, 1813,	6,978,752	43
Dollars	39,907,607	62

F.

Statement of monies received into the treasury during the the year 1813, for treasury notes bearing interest at the rate of five and two-fifths per cent. per annum.

Notes issued under the act of June 30, 1812.

Received at the State Bank, Boston,	$ 400,000
Manhattan Bank, New York,	400,000
Mechanics' Bank, ditto,	600,000
New York State Bank, Albany,	179,800
Bank of Pennsylvania, Philadelphia,	185,600
Bank of Columbia, Washington,	100,000
Union Bank, Georgetown, Columbia,	50,000
Bank of Chillicothe, Chillicothe,	49,100
Miami Exporting Company, Cincinnati,	100,000
Bank of Kentucky, Frankfort,	100,000
	$ 2,164,500

Notes issued under the act of February 25, 1813.

Received at the Cumberland Bank, Portland,	$ 100,000
State Bank, Boston,	1,000,000
Merchants' Bank, Salem,	30,000
Manhattan Bank, New York,	250,000
Mechanics' Bank, ditto,	750,000
Bank of Troy, Troy, do.	100,000
Bank of Pennsylvania, Philadelphia,	1,000,000
Bank of Columbia, Washington,	200,000
Farmers' Bank of Alexandria,	200,000
Planters' Bank, Savannah,	300,000
	$ 3,930,000

G.

Loan of 7,500,000 Dollars.

The annexed notification marked G a, was issued on the 30th of August, 1813; and, in pursuance thereof, proposals were received on the 25th of September, for loaning money to the United States, on a six per cent. to be received by the tenders at various rates, amounting in the whole to 12,791,500 dollars. A copy of one of these proposals is annexed, mark-

ed G b; the others were substantially of the same form. After rejecting those least favourable to the United States, and apportioning by an equal rule, among those that were accepted, the sum that was to be received on loan, the following proposals for the sums annexed to each were accepted, by a letter addressed to each of the persons making the proposals, in substance the same as that annexed, marked G c; viz.

Jonathan Smith of Philadelphia,	$ 2,152,000
Jacob Barker, of New-York,	1,435,000
Ralph Higinbotham, of Baltimore,	1,435,000
Quintin Campbell, of Philadelphia,	468,000
Fitz G. Halleck, of New-York,	288,000
Thomas W. Bawt, of Charleston, S. C.	221,000
William Cochran, of Boston,	151,000
George T. Dunbar, of Baltimore,	147,000
G. B. Vroom, of New-York,	144,000
Henry Kuhl, of Philadelphia,	144,000
Isaac M'Kim, of Baltimore,	144,000
Whithead Fish, of New-York,	118,000
John Duer, of Baltimore,	118,000
William G. Cochran, of do.	110,000
Jacob G. Koch, of Philadelphia,	108,000
William Whann, of Washington,	73,000
James Cox, of Baltimore,	72,000
Thomas Cumming, of Augusta, Georgia,	72,000
The navy pension fund,	100,000
	$ 7,500,000

And the aforesaid sum of 7,500,000 dollars was made payable at the following places, viz.

At Wiscasset, Maine,	75,000
New York,	2,025,000
New Brunswick, N. J.	36,000
Philadelphia,	2,384,000
Baltimore,	2,514,000
Washington,	73,000
Ditto (navy pension fund),	100,000
Charleston, S. C.	221,000
Augusta, Georgia,	72,000
	$7,500,000

G a.

NOTICE.

Treasury Department, August 30th, 1813.

Whereas by an act of Congress, passed on the 2d day of August, 1813, the president of the United States is authorized to borrow, on the credit of the United States, a sum not exceeding seven millions five hundred thousand dollars; And whereas, the president of the United States did, by an act or commission under his hand, dated the 7th day of August, 1813, authorize and empower the acting secretary of the treasury to borrow, on behalf of the United States, the aforesaid sum of seven millions five hundred thousand dollars, pursuant to the act of congress above recited:

Public notice is therefore hereby given, That proposals will be received by the acting secretary of the treasury, until the *twenty-fifth day of September next*, from any person or persons, body or bodies corporate, who may offer, for themselves or others, to loan to the United States, the whole or any part, not less than one hundred thousand dollars, of the aforesaid sum of seven millions five hundred thousand dollars.

The stock to be issued for the money loaned, will bear an interest of six per cent. per annum, payable quarter-yearly, and the proposals must distinctly state the amount of money offered to be loaned, and the rate at which the aforesaid stock will be received for the same.

The amount loaned is to be paid into a bank or banks authorised by the treasury, in instalments, in the following manner, viz.:

One-eighth part, or twelve dollars and fifty cents on each hundred dollars, on the 15th day of October next.

One-eighth part on the 15th day of November next.

One-fourth part, or twenty-five dollars on each hundred dollars, on the 15th day of each of the ensuing months of December, January, and February next.

The proposals must specify the place where the money is to be paid.

If proposals differing in terms from one another should be accepted, the option will be allowed to any persons whose proposals may be accepted, of taking the terms allowed to any other person whose proposals may be accepted.

No proposals will be received for a sum less than one hundred thousand dollars; but a commission of one-eighth of one per cent. will be allowed to any person collecting subscriptions for the purpose of incorporating them in one pro-

posal to the amount of one hundred thousand dollars and upwards, provided that such proposal shall be accepted.

A commission of one eighth of one per cent. will also be allowed to the cashiers of the banks where the payments shall be made; who will issue scrip-certificates to the persons making the payments, and will endorse thereon, the payments of the several instalments when made.

On failure of payment of any instalment, the next preceding instalment to be forfeited.

The scrip-certificates will be asssignable by endorsement and delivery; and will be funded after the completion of the payments, upon presentation by the proprietor to the commissioner of loans for the state where the payments have been made.

The funded stock to be thus issued, will be irredeemable till the 31st day of December, 1825; will be transferable in the same manner as the other funded stock of the United States, and will be charged for the regular and quarterly payment of its interest, and for the eventual reimbursement of its principal, upon the annual fund of eight millions of dollars appropriated for the payment of the principal and interest of the debt of the United States, in the manner pointed out in the aforesaid act of the 2d of August, 1813.

W. JONES,
Acting Secretary of the Treasury.

G b.

Sir, *City of Washington, September* 25th 1813.

Having, agreeably to the terms of your public notice of the 30th of August last, collected subscriptions for the purpose of incorporating them in one proposal, I hereby propose to take, of the loan of seven millions five hundred thousand dollars, the sum of three millions of dollars, payable at the bank of Pennsylvania, on the following terms, viz.: for every hundred dollars in six per cent. stock I will give eighty-eight dollars and twenty-five cents in money; or for the privilege of paying the balance at any subsequent instalment after the first, I will give for every hundred dollars of the stock aforesaid, eighty-eight dollars and fifty cents in money.

I have the honour to be, with great respect, sir, your obedient servant,

JONA. SMITH.

The Honourable the Secretary of the Treasury.

G c.

Sir, *Treasury Department, September* 25, 1813.

More than twelve millions and a half of dollars were this day offered for the loan of seven and a half millions. The rate at which the loan is taken, is eighty-eight dollars and twenty-five cents in money for each hundred dollars in stock. Your proposal for three millions of dollars of the loan having been at this rate, has been accepted: but in consequence of the large surplus offered, it has been necessary to reduce the amount allowed to you to two millions one hundred and fifty-two thousand dollars. Upon completing the payment of this sum in the proportions and at the periods stated in the public notification relating to this loan, of the 30th of August last, you will be entitled to receive stock at the rate abovementioned.

If you shall desire, or any of the persons in whose behalf your proposal was made, to obtain the certificates of funded stock before the 15th of February next, the day on which the last instalment of the loan will be payable, it may be effected by paying, on any day fixed for the payment of an instalment, after the first, all the subsequent instalments; but interest will, in such case, be allowed only as if each instalment had been paid on the day fixed in the public notification of the 30th of August.

You will be pleased, on receipt of this letter, to state to me the bank or banks in which the money will be paid; and if more than one, the precise sum payable at each; and on or before the 15th of October, will furnish the cashier or cashiers of such bank or banks, with the names of the persons in whose behalf your proposal has been made, and the sums payable by each.

The commission of one-eighth per cent. will be paid from the treasury after the payment of the first instalment on the 15th of October next.

I am, respectfully, sir, your obedient servant,

W. JONES,

Acting Secretary of the Treasury.

Jonathan Smith, Esq. Philadelphia.

Letter from the Acting Secretary of the Treasury, transmitting a Statement of the Exports of the United States during the year ending the thirtieth September, 1813.

Sir, *Treasury Department, February* 4, 1814.

I have the honour to transmit herewith a statement of the exports of the United States during the year ending on the 30th September, 1813.

The value of these exports was,

In articles of domestic produce or manufacture,	$ 25,008,152
In ditto of foreign produce or manufacture,	2,847,845
	$ 27,855,997

And were exported to the following countries, viz.:

	Domestic.	*Foreign.*
To Spain, Portugal, and their dominions,	20,536,328	265,036
France, Holland, Hanse towns, and Italy,	1,956,774	2,365,069
Sweden, and Swedish West Indies,	2,411,569	196,753
all other countries,	103,481	20,987
	$ 25,008,152	2,847,845

I have the honour to be, very respectfully, sir, your most obedient servant,

W. JONES,
Acting Secretary of the Treasury.

The Honourable the Speaker of the House of Representatives.

Statement of Exports, the produce and manufacture of the United States, commencing the 1st of October, 1812, and ending the 30th of September, 1813.

Species of Merchandise.	*Quantity or value.*	
Fish, dried or smoked -	quintals	60,022
pickled, - -	barrels	13,333
ditto, - -	kegs	568
Oil, whale and other fish, -	gallons	4979

Species of Merchandise.		*Quantity or value.*	
Spermaceti candles,	-	pounds	26,522
Wood, staves and heading,	-	M.	7,179
shingles, -	-	ditto	10,750
hoops and poles,	-	ditto	1,888
boards and plank,	-	ditto	20,699
hewn timber,	-	tons	1,671
lumber of all kinds,	-	dollars	6,979
masts and spars,	-	ditto	1,522
oak bark and other dye		ditto	118,416
all manufactures of,	-	ditto	61,137
Naval stores, tar,	-	barrels	10,065
pitch,	-	ditto	3,270
rosin,	-	ditto	2,097
turpentine	-	ditto	16,123
Ashes, pot, -	- -	tons	1,670
pearl,	- -	ditto	285
Skins and furs,	- -	dollars	58,355
Beef, -	- -	barrels	43,741
Pork, -	- -	ditto	17,337
Hams and bacon,	- -	pounds	607,196
Tallow, -	- -	ditto	300
Butter, -	- -	ditto	419,395
Cheese, -	- -	ditto	276,552
Lard, -	- -	ditto	1,084,565
Hides, -	- -	No. of	277
Horned cattle,	- -	ditto	469
Horses, -	- -	ditto	95
Sheep, -	- -	ditto	934
Hogs, -	- -	ditto	485
Poultry, -	- -	dozens	152
Wheat, -	- -	bushels	288,535
Indian corn,	- -	ditto	1,486,970
Rye, -	- -	ditto	140,136
Oats, -	- -	ditto	14,105
Beans, -	- -	ditto	4,201
Peas, -	- -	ditto	18,080
Potatoes, -	- -	ditto	25,728
Apples, -	- -	barrels	1,621
Flour, -	- -	ditto	1,260,943
Meal, rye, -	- -	ditto	65,680
Indian,	- -	ditto	58,521
buckwheat,	- -	ditto	1
Ship stuff, -	- -	cwt.	67
Biscuit or ship bread,	-	barrels	28,626

Species of Merchandise.	*Quantity or value.*	
Biscuit or ship bread, - -	kegs	4,073
Rice, - - -	tierces	120,843
Indigo, - - -	pounds	591
Cotton, Sea Island, - -	ditto	4,134,849
other, - -	ditto	14,975,167
Tobacco, - - -	hhds.	5,314
Flaxseed, - - -	bushels	189,538
Wax, - - -	pounds	39,714
Household furniture, - -	dollars	2,230
Coaches and other carriages, -	ditto	200
Hats, - - - -	ditto	8,143
Saddlery, - - -	ditto	167
Beer, porter, and cider, in casks,	gallons	4,008
bottled, -	dozens	20
Boots, - - - -	pairs	55
Shoes, leather, - - -	ditto	5,716
Candles, tallow, - -	pounds	270,050
wax, - - -	ditto	3,446
Soap, - - -	ditto	757,367
Tobacco, manufactured, -	ditto	283,512
Leather, - - -	ditto	76,259
Lead, - - - -	ditto	276,940
Maple sugar, - - -	ditto	729,750
Bricks, - - - -	M.	20
Spirits from grain, - -	gallons	60,053
Linseed oil, - - -	ditto	4,178
Spirits of turpentine, - -	ditto	3,589
Cables and cordage, - -	cwt.	946
Cards, woollen and cotton, -	number	240
playing, - -	packs	1,728
Iron, nails, - - -	pounds	14,369
castings, - - -	dollars	19,621
all manufactures of iron, or iron and steel, - - -	ditto	812
Spirits from molasses, - -	gallons	495
Sugar, refined, - - -	pounds	2,570
Chocolate, - - -	ditto	5,000
Gunpowder, - - -	ditto	13,650
Medicinal drugs, - -	dollars	5,264
Merchandise and articles not enumerated, manufactured, - -	ditto	44,738
Raw produce, - -	ditto	42,959
Total value of the foregoing statement,	*Dollars*	25,008,152

Statement of Exports, the produce and manufacture of foreign countries, commencing the 1st of October, 1812, and ending the 30th September, 1813.

Species of Merchandise.		*Quantity or value.*		
		Entitled to Drawback.	*Not entitled to Drawback.*	*Total.*
Value of goods free of duty,	dollars		57,604	57,604
at 15 per cent.,	ditto	50,656	80,745	131,401
27½ ditto	ditto	36,910	24,646	61,556
17½ ditto,	ditto	13,309	9,163	22,472
32½ ditto,	ditto	4,972	2,241	7,213
22½ ditto,	ditto	44	616	660
Wines, malmsey, Madeira, and London particular,	gallons	767	215	982
all other Madeira,	ditto		53	53
Burgundy, Champaign, &c.	ditto	119		119
sherry, and St. Lucar,	ditto	29	800	829
claret, &c. in bottles or cases,	ditto	5,769	1,012	6,781
Teneriffe, Fayal, &c.	ditto	1,191		1,191
all other,	ditto	68,647	22,841	91,488
Spirits from grain,	ditto	1,053		1,053
other materials,	ditto	21,113	7,172	28,285
Teas, hyson, imperial, &c.	pounds		129	129
Coffee,	ditto	6,252,368	316,159	6,568,527
Cocoa,	ditto	85,340	22,848	108,188
Sugar, brown,	ditto	2,556,698	922,628	3,479,326

Statement continued.

Species of Merchandise.		*Quantity or value.*		
		Entitled to Drawback.	*Not entitled to Drawback.*	*Total.*
Sugar, white, clayed, or powdered,	pounds	2,996,053	141,909	3,137,962
Almonds,	ditto	11,077		11,077
Fruit, figs,	ditto		210	210
Soap,	ditto	22,090	33,881	55,971
Spices, cinnamon,	ditto		452	452
mace,	ditto		30	30
cloves,	ditto	593	896	1,489
pepper	ditto	98,901	759	99,660
pimento,	ditto		5,160	5,160
Chinese cassia,	ditto		5,388	5,388
Indigo,	ditto	5,058	5,871	10,929
Cotton,	ditto	289,422	473	289,895
Nails,	ditto	2,700		2,700
Paints, white and red lead,	ditto	5,400		5,400
Steel,	cwt.	129		129
Fish, foreign caught and dried,	quintals	2,166	1,428	3,594
Glass, black quart bottles,	gross	91	28	119
Segars,	1000	30		30
Molasses,	gallons	994	315	1,309
Total value of the foreign statement,	*Dollars*	2,394,952	452,893	2,847,845

A summary of the value and destination of the Exports of the United States, agreeably to the preceding statement.

Whither exported.	*Domestic produce.*	*Foreign produce.*	*Total value to the dominions of each power*
Russia,	50,400	750	51,150
Sweden,	713,844	135,616	
Swedish West Indies,	1,697,725	61,137	2,608,322
Holland,	29,160		29,160
British American colonies,	2,422		2,422
Hamburg, Bremen, &c.	13,086		13,086
French European ports on the Atlantic,	1,780,291	2,296,453	
Ditto West Indies and American colonies,	132,290	68,616	4,277,650
Spanish European ports on the Atlantic,	6,506,401	40,168	
on the Mediterranean,	25,700	737	
Teneriffe and the other Canaries,	112,024	5,874	
Floridas,	404,537	839	
Honduras, Campeachy, and Musquito shore,	23,902		

Summary continued.

Whither exported.	*Domestic produce.*	*Foreign produce.*	*Total value to the dominions of each power*
Spanish West Indies and American colonies, - - -	2,809,705	183,549	
			10,113,436
Portugal, - - - - - - - - -	9,992,012	7,275	
Madeira, - - - - - - - -	361,719	6,036	
Fayal and the other Azores, - - - - -	162,507	30	
Coast of Brazil and other American colonies, - - -	137,821	20,528	
			10,687,928
Italy, - - - - - - - - -	1,947		
			1,947
West Indies (generally,) - - - - -	39,774	5,485	
			45,259
South seas, - - - - - - - -		1,070	
			1,070
North west coast of America, - - - -	10,885	13,682	
			24,567
Total, dollars	25,088,152	2,847,845	27,855,977

A summary of the value of Exports from each state.

	Domestic	*Foreign.*	*Total.*
New Hampshire,	29,996		29,996
Massachusetts,	1,513,069	294,854	1,807,923
Rhode Island,	234,449	2,353	236,802
Connecticut,	968,729	5,574	974,303
New-York,	7,060,807	1,124,687	8,185,494
New-Jersey,	10,260		10,260
Pennsylvania,	3,249,623	327,494	3,577,117
Delaware,	133,432		133,432
Maryland,	2,782,073	1,005,792	3,787,865
Virginia,	1,819,414	308	1,819,722
North Carolina,	795,510	1,848	797,358
South Carolina,	2,915,035	53,449	2,968,484
Georgia,	1,094,595		1,094,595
Louisiana,	1,013,667	31,486	1,045,153
*District of Columbia,	1,387,493		1,387,493
Total, Dollars	25,008,152	2,847,845	27,855,997

Treasury Department, Register's Office, Feb. 1, 1814.

JOSEPH NOURSE, *Register.*

* Alexandria.

A summary Statement of the value of the Exports of the growth, produce, and manufacture of the United States, during the year ending the 30th September, 1813.

	Dollars		
THE SEA, - -	304,000		
1. Fisheries,			
dried fish, or cod fishery, - - - -		210,000	
pickled ditto, or river fishery, herring, shad, salmon, mackarel		81,000	
whale, common oil, and bone, - - -	2,500		
spermaceti candles, - - - - -	10,500		
		13,000	
			304,000
THE FOREST, - -	1,107,000		
2. Skins and furs, - - - - - - -		58,000	
3. Product of wood,			
lumber, boards, staves, shingles, hoops and poles,			
hewn timber, masts, &c., - -	636,000		
oak bark, and other dyes, - - -	118,000		
naval stores, tar, pitch, rosin, turpentine, -	91,000		
ashes, pot and pearl, - - -	204,000		
		1,049,000	
			1,107,000

AGRICULTURE, - -23,119,000				
4. Product of animals,				
beef, tallow, hides, live cattle, - -		539,000		
butter and cheese, - - -		95,000		
			634,000	
pork, pickled, bacon, lard, live hogs, -			457,000	
horses, - - - - -		8,000		
sheep, - - - - -		2,000		
			10,000	
				1,101,000
5. Vegetable food,				
wheat, flour, and biscuit, - - -			13,591,000	
Indian corn and meal, - - -			1,838,000	
rice, - - - - - -			3,021,000	
all other, rye, oats, pulse, potatoes, apples, &c.			591,000	
				19,041,000
6. Tobacco, - - - - - - -				319,000
7. *Cotton, - - - - - - -				2,324,000
8. All other agricultural products,				
indigo, - - -			1,000	
flaxseed, - - -			265,000	
maple sugar, - - -			58,000	
wax, - - -			9,000	
poultry, &c. - - -			1,000	
				334,000

* Sea Island cotton, valued at 20 cents per pound.
Upland ditto 10 ditto

Upland	ditto	10	ditto	

MANUFACTURES,	-	390,000	
9. Domestic materials,			
soap, and tallow candles, - - -	124,000		
leather, boots, shoes, saddlery, - -	25,000		
hats, - - - - -	8,000		
grain, spirits, beer, - - -	46,000		
wood, including furniture, coaches, and other carriages, - - - -	64,000		
cordage, - - - -	14,000		
iron, - - - - -	22,000		
various items, wax candles, tobacco, lead, linseed oil, spirits of turpentine, &c. -	69,000		
		372,000	
Foreign materials,			
spirits of molasses, - - - -	500		
sugar, refined, - - - -	500		
chocolate, - - - - -	1,500		
gunpowder, - - - -	10,500		
medicinal drugs, - - - -	5,000		
		18,000	
			390,000
UNCERTAIN.			
10. Articles not distinguished in returns,			
manufactured, -		45,000	
raw produce, - -		43,000	
			88,000
Total, dollars			25,008,000

A statement of the duties collected on the importation of articles which were afterwards re-exported without being entitled to drawback.

Species of merchandise.			*Amount of duty.* Dolls.	Cts.
Goods paying duty ad valorem at	12	per cent.	10,093	12
	25	ditto	6,161	50
	15	ditto	1,374	45
	30	ditto	672	30
	20	ditto	123	20
Wines, malmsey, Madeira, and London particular,			249	40
all other Madeira,			53	
sherry and St. Lucar,			640	
claret, &c. in bottles or cases,			708	40
all other,			10,506	86
Spirits from other materials,			3,586	
Molasses,			31	50
Teas, hyson, imperial, &c.			82	56
Coffee,			31,615	90
Cocoa,			913	92
Sugar, brown,			46,131	40
white, clayed, or powdered,			8,514	54
Fruit, figs,			8	40
Soap,			1,355	24
Spices, mace,			75	
cinnamon,			180	80
cloves,			358	40
pepper,			91	8
pimento,			412	80
Chinese cassia,			431	4
Indigo			2,935	50
Cotton,			28	38
Fish, foreign caught and dried,			1,428	
Glass, black quart bottles,			33	60
Total, dollars			128,796	29

Treasury Department, Register's Office, Feb. 1, 1814.

JOSEPH NOURSE, *Register.*

APPENDIX.

No. I.

The minister of France to Mr. Robert Smith, secretary of state.

Sir, *Baltimore, June* 14, 1809.

The federal government is going to settle all its differences with Great Britain, and to make a treaty of amity, of commerce, and of navigation with that power. You, as well as Mr. Gallatin, have manifested to me a desire also to make a new convention with France, to take the place of that which expires on the 30th September next.

I will for a moment call to your consideration (*arreterai votre reflection*) this double object, which the federal government proposes to itself, and the difficulties of accomplishing it in a manner advantageous for all the contracting parties. My just deference for your government, sir, does not permit me to make any observation on the haste with which the executive has received the first overtures of the English ministry, yet composed of the same men who very lately discovered a very manifest aversion to every species of conciliation, and who joined to a denial of justice to the Americans, every asperity of forms, of tone, and of style towards the agents of your government.

If I have supposed that this very haste was necessary to satisfy the wishes of the people, of whom foresight is not the first virtue, others may see in that political proceeding a precipitation, perhaps dangerous, and, if it does not lessen (*ne blessait pas*) the dignity of the executive, may at least produce consequences prejudicial to the true interests of the union. It is on these very interests, much more than on those of France —as its enlarged and liberal policy, its principles of universal justice, and the elements of which its powers is composed,

have placed it beyond all attacks (*hors de toutes les atteintes*) —it is only on the interest of your government that I fix my attention and invoke yours, under a circumstance so delicate,

My correspondence with your predecessor is enough to convince you, sir, that I have not left him ignorant of the dangers of the crisis of Europe, and its inevitable effects on the destiny of the states of the American union. Positive and multiplied information on the events of the other continent and their probable results, has enabled me sometimes to raise the veil which yet covers the designs of the first powers of the political world.

I have thought that it was not incompatible with my duty to submit to the wisdom of your government the new chances which the changes brought about in Europe offer to the commercial interests of the United States, and the inconveniences which may result from their refusal to accede formally to the principles of the maritime confederation.

It does not belong to me to examine how far the preceding administration was mistaken in its conjectures; but the verbal proposition which you have made to me, sir, to conclude a new convention (a proposition which I have submitted to my court) necessarily leads me to some observations on the respective position of France and the United States.

Your government looks to nothing in its treaties, but to the interests of its foreign commerce. This is the principal object of its policy. France considers foreign commerce only as an addition (*accessoire*) to its system of general administration. Numerous canals of communication, which aid its rivers, and, in multiplying their directions, procure for it all the opening necessary to keep up in the interior and with its allies that immense circulation of all the objects of their reciprocal wants. In France commerce is not a power (*puissance*) in the state: it shares with other national professions the protection of the government, which only honours them with its support and encouragement in proportion to the degree of their utility and importance. In short, foreign commerce is not considered in France as an indispensable thing, although it is so considered in the United States.

You will then readily see, sir, that France has not the same interest which the federal government has, to make a treaty of commerce and navigation with the United States, while it is evident, that, whatever may be the dispositions, the result does not offer an equality of advantage to the two governments.

It is only, then, by means of political sacrifices, that one can re-establish the balance in a commercial treaty, and also render it of common utility to the two parties. Besides (and I have not suffered it to remain concealed from the administration which preceded that of Mr. Madison) can the federal government believe and I appeal to your discernment to judge, if the United States have not given cause of serious and multiplied complaints to France during the terrible conflict which she has had to sustain against all the armed powers of Europe? Notwithstanding the popular infatuation, and the hurrying off of the public opinion, and the public favour towards a power systematically inimical as well to the United States as to France, I will appeal to the authority of all the sensible men of your own country, sir, to know, if for more than five years past the federal government has conducted itself towards the French government in a manner to merit the advantages which you expect from a new convention.

It would be useless and too tedious to examine here, what has already all the light of evidence, whether the preceding administration has not taken the worst course which it could have taken, to avoid collision with the two principal belligerent powers. The Americans have appealed to the rights of neutrality, and until now at least their government has endeavoured by proceedings which I shall not permit myself to give a name to (*de qualifier*), to draw near to Great Britain, who outrages or disowns the rights claimed; while it injures (*offensait*) France, whose measures have for their object the re-establishment and the guarantee of these rights.

Thus your preceding administration (for it is of that, and that only, that I pretend to speak) placed itself by its political movement (*marche*) in manifest contradiction with its own principles. It has done more, and, notwithstanding my representations, it persisted (*obstinée*) to consider the two powers as doing equal wrong to the government of the union, and to apply to them the effect of its negative measures, while the outrages of England seemed to require from their dignity the most energetic measures of repression against that power. But in short (*car enfin*), sir, it is time to come to an explanation on the pretended wrongs of France towards the United States, and at least oppose to them the injuries (*les offenses*) done by the federal government.

However severe the decree of Berlin might seem in its application to the United States, it was demonstrated that its consequences would be ultimately (*en derniere analyse*) fa-

vourable to their commercial pretensions, since its object was to reach (*d'ateindre*) a power who had proclaimed its contempt for the rights of nations: and without doubt the Americans were the people the most interested in the success of that political act. There are however American merchants who, by all the means of the most shameful deception, have endeavoured to elude the measures of France, and to second the efforts of the common enemy to escape them, and have at length, by their multiplied and proven frauds, provoked the more severe dispositions of the decree of Milan. Thus, not only were the measures of France justified as measures of retaliation, but they were indispensable to free the American commerce from the yoke which Great Britain had placed on it, to cause to be respected in future the flag of neutrals, and force that power to acknowledge the common right of nations and the dominion of the seas; and the confiscation, the sale, and the burning of some American merchant vessels having false papers, and navigating in contempt of the prohibitions of their own government, to favour the enemies of France, have been legal measures, conformable to the rights of war, and which the force of circumstances and the interest of all imperiously required. But I appeal to you, sir, the council of Washington, of which you were then also a member—has it given all the necessary attention to the representations made on this subject by Mr. Champagny to Mr. Armstrong, as well as to those which I considered it my duty to address to the secretary of state? Has it been possible to make known through the United States all the advantages which the American people ought to find in the accomplishment of the designs of France—to discuss its projects in the calm of impartiality, to cause the voice of reason and of principles to be heard, when the declamations of error or of bad faith, when the influence of prepossessions and the clamours of party spirit preserved their empire over the public opinion, or rather received a new force from the incertitude (*incertitude*) or the silence of the [former] ancient executive council? That disposition, almost general, to attribute (*à supposer*) wrongs in France, by way of weakening (*pour alteneur*) the outrages of England—was it foreign to the administration of which I speak? and that administration, has it always been willing to hear me, while I made it perceive the consequences of the conduct of the federal government in regard to the French government? Was this administration convinced that all governments are not dis-

posed to forget or to suffer injuries (*les offenses*) with impunity?

In recalling to your recollection, sir, the wrongs of the federal government towards France, I only mention notorious acts, which my former correspondence has established—observing to you, at the same time, that I understand acccording to their class (*je comprends dans leur cathagorie*) the particular offences of your citizens; for every government is bound (*est solidaire*) in regard to other powers for the acts of its subjects; otherwise it would not be a government, and could not offer either security or guarantee for the execution of its agreements.—Complaints were for a long time made to the United States of the delays which some American citizens had experienced in receiving the indemnities which were due to them, and of which the reimbursement was made from a part of the funds destined for the acquisition of Louisiana; but the affair of the heirs of Beaumarchais, who have in vain claimed for 28 years a debt made sacred by his motives, proven to the last degree of evidence, and on which the declared interest of the French government does not admit of a put-off—is it finished?

Captain Mouessant, the bearer of a letter of marque, and commandant of an armed schooner, followed an English convoy, and was on the point of taking several merchant vessels, when two American armed brigs, and armed to protect the infamous commerce with St. Domingo, attacked him under the English flag, and not only added treachery to superiority of force to get possession of the vessel of Mouessant, but, after having pillaged it, massacred a part of the crew an hour after they had struck—and this crime, which remains unpunished, is so much the less forgotten, as captain Mouessant never let go (*quitte*) his flag.

But it would be too tedious to relate to you all the particular acts in relation solely to French citizens; it will be sufficient for me to say to you, that every where, where there are Frenchmen (I don't speak of the small number who have abjured their country) these Frenchmen will be every where assured (*assuries*) of obtaining indemnity for the damage done to their persons or to their property.

There are other grievances (*griefs*) yet more serious, and from which France has a right to believe that the United States has a project of giving her inquietude for her distant possessions, and for those of her allies. This has reference to the free commerce between the Americans and the revolt-

ed blacks of St. Domingo, the affair of Miranda, and to the meditated attack on Spaniards on the Sabine—an enterprize which would not have been given up (*n'a echoué*) but for the necessity under which your government found itself of causing its troops to fall back to guard New Orleans against an invasion by internal enemies.

I was far from thinking, sir, that the offence (*scandale*) of the commerce with the slaves in the revolted part of St. Domingo. The law of the embargo confirming the prohibitory law passed by congress in 1806—I could not presume that the embargo would be raised, and that the law against this commerce would not be continued. What, sir, the intercourse is prohibited between the United States and all the dependencies of the empire, under circumstances when the commercial regulations would be the most advantageous to the two states, and you tolerate them only with that one of our possessions, where we have the greatest interest to proscribe them! and it is to be remarked, that it is always [moreover] when France has to combat new coalitions on the other continent, that it would seem that efforts are made to form enterprizes against its possessions or of those of its allies in this one. It is also proper to place among the number of grievances with which France has to charge the United States, the want of opposition, or rather the useless opposition, which the federal government has made to the impressment of its sailors, seized in contempt of its flag, and with whom the English arm their vessels against us. I have often, sir, and often in vain, protested against this outrage of Great Britain towards your government, and which has become a serious injury (offence) on the part of your government towards France. You furnish personal aid (*secours personnels*) to our enemies. What could you do more if you were at war with us? Without doubt, it will not escape the present executive, that an amendment is absolutely necessary, to render uniform the treatment which our sailors and soldiers meet with in this country, and that which your sailors and soldiers meet with in France.

I have not suffered my court to be ignorant of the abuses, without number, and extremely prejudicial to its interests, daily resulting from a want of a police in the United States in regard to this affair.—I am very far, sir, from charging your government with the means the most shameful, of seduction, which are employed to induce our sailors and our soldiers to desert, but has it done all that it ought to have done to prevent it? and that extreme facility with which, when they wish

it (*au besoin*), men drawn off from their country and their sovereign are naturalized, does it accord with the incontestible right of governments to recover, even without demanding them, their subjects whom artifice or force has drawn off from their service? and France, sir, has it not given on this subject, as on many others, an example of the reciprocal respect which governments owe to each other, and which they observe in Europe even in the midst of the horrors of war? and have I not already warned the executive council to put an end to these abuses? Have I not warned them that the indemnity due for the loss of the French ship the Impetuous, burnt by the enemy within a cable length of your coast, ought to be decreed (*statuée*) and paid without delay?—and the subterfuges (permit me to use the expression, I know no other to convey my idea) and the subterfuges, I say, which have been employed to delay (*ajourner*) that indemnity, have made of that act of violence on the part of our enemies, a direct offence of the United States against France. What more could you do, what more could you leave undone, sir, if you had a treaty of alliance with our enemies?

You will find it convenient, sir, that I abridge the enumeration of the subjects of complaint which the federal government has given to France since my residence in the United States, and that I refer to my correspondence with the department of state.

I confine myself here to calling the attention, and the attention the most serious, of the executive council, to another grievance of the most serious kind—I know not what would more sensibly offend (*offenser*) the French empire.

I commence, sir, by agreeing, that no government has a right to interfere with the particular or municipal laws of other countries, because it is supposed with reason that every government will so far respect itself, as to circumscribe the effect of these local institutions, and to stop the licentiousness which the feebleness of laws always gives birth to, and the digressions (*les ecarts*) of which may offend foreign powers. Can one suppose that it was easy to avoid the just reproaches of sovereigns for offences of this kind, where the weakness (*la vice*) of the institutions, and the want of action or of power in the depositaries of political authority, render useless a trial of the means of repression? You have foreseen, sir, that I am about to address you on the indefinite liberty of saying every thing, of writing every thing, and of printing every thing.

I am very far from believing that the excesses of your press have occupied for an instant the thoughts of the emperor and king my master—but as it respects this subject (*à cet egard*) I am here as the organ of the whole French empire, and, if I do not see without pain the ravages (*ravages*) which the delirium of the insolence of the greater part of your periodical writers occasions amongst yourselves, you will judge that I do not hear without indignation all that people permit themselves to say or to write against France, her institutions, and the sacred person of her august representative.

You will see, sir, that on this subject, as on all others, the redress of grievances is an indispensable pre-requisite to the formation of a new treaty between the two powers.

It was sufficiently painful to me to address you (*entretenir*) on the complaints of France against the United States, without laying them open to you in the form of an official note. I have thought that a simple letter, the tone of which would approach nearer to that of our conferences, would produce the same effect with you, sir, whose liberal principles and loyal character are known to me. I have thought that you would be afflicted, as I am, at the obstacles (*entraves*) which the preceding administration has been able to place in the way of a hearty reconciliation (*à un rapprochement plus intime*) between our governments, and which their mutual interest renders more necessary than ever.

I have thought, also, that I could, even on a subject so serious (*grave*), and without deviating from propriety (*sans blesser les convenances*), adopt a mode of communication more analogous to the conformity of our views and our efforts to maintain harmony between France and the United States; and have found here, too, the satisfaction of being able to offer to your sentiments a new tribute of respect.

Receive, sir, the homage of my high consideration.

(Signed) TURREAU.

No. II.

Report of the Secretary of the Treasury, on the subject of Public Roads and Canals; made in pursuance of a resolution of Senate, of March 2, 1807.

In Senate of the United States, March 2, 1807.

Resolved, That the secretary of the treasury be directed to prepare and report to the senate, at their next session, a plan for the application of such means as are within the power of congress, to the purposes of opening roads and making canals; together with a statement of the undertakings of that nature, which, as objects of public improvement, may require and deserve the aid of government; and also a statement of works of the nature mentioned, which have been commenced, the progress which has been made in them, and the means and prospect of their being completed; and such information as, in the opinion of the secretary, shall be material, in relation to the objects of this resolution.

Attest, SAMUEL A. OTIS, *Secretary.*

Sir, *Treasury Department, April 4th*, 1808.

I have the honour to transmit a report respecting roads and canals, prepared in obedience to the resolution of the senate, of the 2d of March, 1807. It has been unavoidably delayed much later than was desirable, or had been expected. Although early steps had been taken for obtaining the necessary information, the most important documents were not received till long after the commencement of this session, some, indeed, within the last ten days. To analyze the whole, to select, arrange, and condense the most interesting facts, was also a work of some labour. Time has not permitted to present the report in a more satisfactory form: but the mass of facts which has been collected, will, it is hoped, be of some public utility.

I have the honour to be, with great respect, sir, your most obedient servant,

ALBERT GALLATIN.

The hon. George Clinton, president of the senate.

The Secretary of the Treasury, in obedience to the resolution of the Senate of the 2d March, 1807, respectfully submits the following report on Roads and Canals.

The general utility of artificial roads and canals, is at this time so universally admitted, as hardly to require any additional proofs. It is sufficiently evident, that, whenever the annual expense of transportation on a certain route in its natural state, exceeds the interest on the capital employed in improving the communication, and the annual expense of transportation, (exclusively of the tolls,) by the improved route, the difference is an annual additional income to the nation. Nor does in that case the general result vary, although the tolls may not have been fixed at a rate sufficient to pay to the undertakers the interest on the capital laid out. They indeed, when that happens, lose; but the community is nevertheless benefitted by the undertaking. The general gain is not confined to the difference between the expenses of the transportation of those articles which had been formerly conveyed by that route, but many which were brought to market by other channels, will then find a new and more advantageous direction; and those which on account of their distance or weight could not be transported in any manner whatever, will acquire a value, and become a clear addition to the national wealth. These and many other advantages have become so obvious, that in countries possessed of large capital, where property is sufficiently secure to induce individuals to lay out that capital on permanent undertakings, and where a compact population creates an extensive commercial intercourse, within short distances, those improvements may often, in ordinary cases, be left to individual exertion, without any direct aid from government.

There are, however, some circumstances, which, whilst they render the facility of communications throughout the United States an object of primary importance, naturally check the application of private capital and enterprize to improvements on a large scale.

The price of labour is not considered as a formidable obstacle, because, whatever it may be, it equally affects the transportation, which is saved by the improvement, and that of effecting the improvement itself. The want of practical knowledge is no longer felt: and the occasional influence of mistaken local interests, in sometimes thwarting or giving an improper direction to public improvements, arises from the nature of man, and is common to all countries. The great demand for capital in the United States, and the extent of territory compared with the popu-

lation, are, it is believed, the true causes which prevent new undertakings, and render those already accomplished, less profitable than had been expected.

1. Notwithstanding the great increase of capital during the last fifteen years, the objects for which it is required continue to be more numerous, and its application is generally more profitable than in Europe. A small portion therefore is applied to objects which offer only the prospect of remote and moderate profit. And it also happens, that a less sum being subscribed at first, than is actually requisite for completing the work, this proceeds slowly; the capital applied remains unproductive for a much longer time than was necessary, and the interest accruing during that period, becomes in fact an injurious addition to the real expense of the undertaking.

2. The present population of the United States, compared with the extent of territory over which it is spread, does not, except in the vicinity of the sea-ports, admit that extensive commercial intercourse within short distances, which, in England and some other countries, forms the principal support of artificial roads and canals. With a few exceptions, canals particularly, cannot in America be undertaken with a view solely to the intercourse between the two extremes of, and along the intermediate ground which they occupy. It is necessary, in order to be productive, that the canal should open a communication with a natural extensive navigation, which will flow through that new channel. It follows that whenever that navigation requires to be improved, or when it might at some distance be connected by another canal to another navigation, the first canal will remain comparatively unproductive, until the other improvements are effected, until the other canal is also completed. Thus the intended canal between the Chesapeake and Delaware, will be deprived of the additional benefit arising from the intercourse between New York and the Chesapeake, until an inland navigation shall have been opened between the Delaware and New York. Thus the expensive canals completed around the falls of Potomac, will become more and more productive in proportion to the improvement, first of the navigation of the upper branches of the river, and then of its communication with the western waters. Some works already executed are unprofitable, many more remain unattempted, because their ultimate productiveness depends on other improvements, too extensive or too distant to be embraced by the same individuals.

The general government can alone remove these obstacles.

With resources amply sufficient for the completion of every practicable improvement, it will always supply the capital wanted

for any work which it may undertake, as fast as the work itself can progress, avoiding thereby the ruinous loss of interest on a dormant capital, and reducing the real expense to its lowest rate.

With these resources, and embracing the whole union, it will complete on any given line all the improvements, however distant, which may be necessary to render the whole productive, and eminently beneficial.

The early and efficient aid of the *federal* government is recommended by still more important considerations. The inconveniencies, complaints, and perhaps dangers, which may result from a vast extent of territory, can no otherwise be radically removed, or prevented, than by opening speedy and easy communications through all its parts. Good roads and canals will shorten distances, facilitate commercial and personal intercourse, and unite, by a still more intimate community of interests, the most remote quarters of the United States. No other single operation, within the power of government, can more effectually tend to strengthen and perpetuate that union, which secures external independence, domestic peace, and internal liberty.

With that view of the subject, the facts respecting canals, which have been collected in pursuance of the resolution of the senate, have been arranged under the following heads:—

1. Great canals, from north to south, along the Atlantic sea coast.
2. Communications between the Atlantic and western waters.
3. Communications between the Atlantic waters, and those of the great lakes, and the river St. Lawrence.
4. Interior canals.

GREAT CANALS ALONG THE ATLANTIC SEA COAST.

The map of the United States will show that they possess a tide-water inland navigation, secure from storms and enemies, and which, from Massachusetts to the southern extremity of Georgia, is principally, if not solely, interrupted by four necks of land. These are the isthmus of Barnstable; that part of New Jersey which extends from the Rariton to the Delaware; the peninsula between the Delaware and the Chesapeake; and that low and marshy tract which divides the Chesapeake from Albemarle sound. It is ascertained that a navigation for sea vessels, drawing eight feet of water, may be effected across the three last; and a canal is also believed to be practicable, not perhaps across the isthmus of Barnstable, but from the harbour of Boston to that of Rhode Island. The Massachusetts canal would be about 26, the New Jersey about 28, and each of the two south-

ern about 22 miles in length, making altogether less than 100 miles.

Should this great work, the expense of which, as will hereafter be shown, is estimated at about $ 3,000,000, be accomplished, a sea vessel entering the first canal in the harbour of Boston, would through the bay of Rhode Island, Long Island sound, and the harbour of New York, reach Brunswick on the Rariton; thence pass through the second canal to Trenton on the Delaware, down that river to Christiana, or Newcastle, and through the third canal to Elk river and the Chesapeake; whence sailing down that bay, and up Elizabeth river, it would, through the fourth canal, enter the Albemarle sound, and, by Pamptico, Core, and Bogue sounds, reach Beaufort and Swansborough, in North Carolina. From the last-mentioned place, the inland navigation, through Stumpy and Toomer's sounds, is continued with a diminished draft of water, and by cutting two low and narrow necks, not exceeding three miles together, to Cape Fear river; and thence, by an open, but short and direct run along the coast, is reached that chain of islands, between which and the main the inland navigation is continued to St. Mary's, along the coast of South Carolina and Georgia. It is unnecessary to add any comments on the utility of the work, in peace or war, for the transportation of merchandize or the conveyance of persons.

The several papers under the letter (A), herewith transmitted, contain the information which has been received on those several intended communications. The substance will now be stated.

I. *Massachusetts Canal.*

1. Sandwich isthmus, between Barnstable bay, on the north, and Buzzard's bay, on the south, had first attracted the public attention. Surveys and levels were taken, for the purpose of ascertaining the practicability of opening a cross cut, to be supplied by the sea itself, from the mouth of Back river, in Buzzard's bay, to the mouth of Scusset river, in Barnstable bay.

The distance was found to exceed seven miles; the elevation of the highest intermediate ground is forty feet above low water mark in Barnstable bay; the depth of water at the mouth of Back river, does not, at low water, exceed seven feet and a half; and the channel to that spot, through Buzzard bay, is obstructed by shoals. The tide, which rises but three feet and a half in that bay, rises three hours and a half later, and more than eighteen feet, in that of Barnstable. The shore on which that formidable tide would operate, is an open beach, without any harbour or shelter whatever. Independent of other obstacles, it

was apprehended that the same natural causes, which had formed the isthmus, might fill the canal, or make a bar at its entrance; and the project seems to have been abandoned.

2. The ground was also examined between Barnstable harbour on the north, and Hyannus harbour on the south, at some distance east of Sandwich. The breadth of the peninsula does not exceed here four miles and a half, and there would be a harbour at each end of the canal. The same difference exists in the tides, which rise 4 feet in Hyannus, and 16 feet in Barnstable harbour. The entrance of this is obstructed by shoals; but the great obstacle to a cross cut is the elevation of the intermediate ground, estimated at 80 feet above tide water. Navigable ponds on that high ground might perhaps form part of a lock canal, and supply the remainder with water. But a canal frozen in winter would not have effected the great object in view, which was to enable vessels from sea to proceed, in winter, from Martha's Vineyard to Boston, without sailing around Cape Cod. Although the difficulty of the navigation from Boston to Barnstable diminishes the utility of this communication, as one of the great links in this line of inland navigation, it may be resorted to, should that which will be next mentioned prove impracticable for sea vessels.

3. The attention of the legislature of Massachusetts, under whose authority the grounds at Sandwich and Barnstable had been examined, has lately been turned to a direct communication between Weymouth landing, within the harbour of Boston, and Taunton river, which empties into the bay of Rhode Island. A favourable report has been made, during the last session, of which a copy has lately been obtained. The distance from tide water to tide water, is 26 miles by one route, and 23¼ miles by another. The highest intermediate ground is 133 feet above tide water, but may be reduced 10 feet, by digging to that depth, the length of a mile. Two ponds, known by the names of Weymouth and Cranberry, the largest and least elevated of which covers 500 acres, and is 14 feet higher than the summit of the proposed canal, will supply the upper locks with water by feeders, four miles long. Whether the quantity of water contained in the ponds, and estimated equal to a daily supply of 450,000 cubic feet, will be sufficient for a sloop navigation; and whether any other ponds or streams may be brought in aid, does not seem to be fully ascertained. After descending twenty feet towards Weymouth, and seventy towards Taunton, an ample supply for the lower locks will be derived from other large ponds, the principal of which are known by the names of Braintree and Nippinitic.

The expense may, on a supposition that the route is partly through a rocky soil, be estimated as follows:

Digging 26 miles, at $ 30,000 a mile,	$ 780,000
Lockage 260 feet, at $ 1,250 a foot,	325,000
Feeders, purchase of land, &c.	145,000
	$ 1,250,000

II. *New Jersey Canal.*

A company was incorporated some years ago, by the legislature of New Jersey, for opening a canal between the Rariton and the Delaware. Acting under the erroneous opinion that the navigation of small rivers might be improved and used as a canal, the company intended to have united, by a cross cut of one mile, the Assampink or Trenton creek with Stoney brook, a branch of Millstone river, and to have descended Trenton creek to the Delaware, and Stoney brook and Millstone river to the Rariton. The capital, which was inadequate, was not paid; but their survey of the intended route has shown the practicability of a canal for sea vessels, on a proper plan.

The distance from Brunswick to Trenton is 26 miles, and the only obstacle in the way is the "Sand hills," some distance west of Brunswick. These may, it is said, be avoided by a deviation which would not increase the distance more than two miles; and they may at all events be perforated, as has been done by the turnpike company, who have opened a road on a straight line between the two towns, without having in any place an angle of ascent of more than three degrees.

The highest intermediate ground between Assampink and Stoney brook, is only fifty feet above tide water; and it is suggested that the summit level may be taken seven feet lower, cutting seven miles through a level meadow, between the confluence of the Assampink and Shippetankin creeks, and Rowley's mill, near the confluence of Stoney brook and Millstone river.

An adequate supply of water will be drawn by short feeders, from Philip's springs, Trenton creek, Stoney brook, and Millstone river, all of which are more elevated than the route of the canal, the "Sand hills" excepted.

The depth of water at the two extremities of the canal, taken at low water, are feet at Brunswick, and ten feet at Lamberton, one mile below Trenton.

The expenses may be estimated as followeth:

Digging 28 miles, at $ 20,000 per mile,	560,000
Lockage, 100 feet (probably less), at $ 1250 per foot,	125,000
Feeders, purchase of land, and water rights,	115,000
	$ 800,000

III. *Delaware and Chesapeake Canal.*

A company, incorporated by the states of Delaware and Maryland, for opening this canal, has commenced its operations, now suspended for want of funds.

The canal will commence at Welsh point on Elk river, an arm of the Chesapeake, and terminate at a distance of 22 miles, on Christiana creek, a branch of the Delaware. At low water the depth of water in Christiana is nine feet, and in Elk twelve feet, within one hundred feet from the shore. The tide rises four feet in both rivers. The canal might, without encreasing the distance, be conducted to Newcastle on the Delaware itself, instead of ending at Christiana creek.

The highest intermediate ground, over which the canal will be carried on a level of 13 miles in length, is 74 feet above tide water, the descent being effected by nine locks on each side. The digging is generally easy: no expensive aqueducts or bridges, nor any other obstacles but those which have already been overcome in digging the feeder through a very rocky soil.

The supply of water drawn from Elk river, by a feeder six miles in length, already completed, which is itself a boat canal three and a half feet deep, united by a lock of ten feet lift with the main canal, is calculated to fill daily 144 locks; a quantity sufficient on an average for the daily passage of twenty-four vessels. A reservoir covering thirty, and which may be encreased to 150 acres, will supply occasional deficiencies: other reservoirs may be added, and Christiana and White Clay creeks may hereafter be brought in aid of Elk river, if the supply should prove too scanty for an encreased navigation.

The canal, 26 feet wide at the bottom, and 50 at the top on the water line, being dug at the depth of 8 feet, is intended for vessels of 40 to 70 tons, drawing $7\frac{1}{2}$ feet water: but the banks, twenty feet wide for towing paths, and one of which may be converted into a turnpike road, being raised three feet above the level of the water, will, by encreasing the height of the lock gates one foot, admit a depth of nine feet of water in the canal; at which depth it would perhaps be elegible to dig at once. The locks 80 feet long, 18 feet wide, and 8 (or 9) feet deep over the gate-sills, containing each 11,500 to 13,000 cubic feet of water, and with a lift of 8 to 9 feet each, will be constructed of hewn stone laid in tarras. Those dimensions both of the canal and locks, recommended by Mr. Latrobe, the engineer of the canal, may be adopted in all the other canals for sea vessels, on thi line of communication.

The present annual carriage across the peninsula, which would be drawn through the canal, is estimated at forty-two thousand tons, exclusively of passengers. This will be greatly encreased by the facility which the canal itself will afford to the commercial intercourse between the two bays, and to the conveyance of articles now carried through other channels, or too heavy for transportation, at the present expense of carriage. The coals wanted for Philadelphia, and which, brought down from the sources of the Susquehannah and Potomac, but principally from the vicinity of Richmond, would naturally pass through the canal, have been alone estimated at more than one hundred thousand tons a year. The annual carriage of all articles may, in the present state of population, be fairly estimated at one hundred and fifty thousand tons, and the direct annual saving to the community at 300,000 dollars, being at the rate of two dollars a ton for the difference between land and water carriage across the peninsula, after paying the tolls. These, at the rate of fifty cents a ton, will give to the undertakers a revenue of $ 75,000, leaving, after a deduction of $ 10,000 for annual repairs, and of $ 10,000 more for attendance and contingencies, a nett income of $ 55,000.

The expenses of the whole work are estimated as followeth:

Digging 22 miles, at $ 20,000 a mile,	$ 440,000
18 locks, at $ 10,000 each,	180,000
(The whole lockage being 148 feet, would, at $ 1250 a foot, amount to $ 185,000.)	
Feeder, (nearly completed,) reservoirs, lock at the feeder, purchase of water rights and land, including a debt of dollars due by the company,	230,000
	$ 850,000

The interest on which sum, at 6 per cent. is $ 51,000.

The capital originally subscribed amounted to four hundred thousand dollars, divided into two thousand shares, of two hundred dollars each. One half of these has been forfeited, after a small payment of five dollars on each share. One hundred thousand dollars paid by the other stockholders, have been expended in preparatory measures, in the purchase of water rights, and in digging the feeder, which was considered as the most difficult part of the work. Seven hundred and fifty thousand dollars are still wanted to complete the work; of which sum, one hundred thousand dollars is payable by the stockholders,

and the deficiency of $650,000 must be drawn from other sources.

IV. *Chesapeake and Albemarle.*

1. The shortest communication between the Chesapeake and Albemarle sound, is from North landing at the head of the tide of North West river, which empties into Currituck inlet, the easternmost arm of Albemarle, to either Kempsville or Great Bridge, at the head of the tide of two different branches of the South branch of Elizabeth river, which, passing by Norfolk, unites at Hampton roads with James river and the Chesapeake. The distance is stated at seven miles, and the levels said to be favourable. It is believed that the principal reason why this communication has not been attempted, is a bar in Currituck inlet, which does not admit the passage of vessels drawing five feet water.

2. A company incorporated by the states of Virginia and North Carolina, for opening a canal through the Dismal swamp, has made considerable progress in the work.

The canal extends 22 miles in length from Deep creek, a branch of the South branch of Elizabeth river, 7 miles above Norfolk, to Joyce's creek, a branch of Pasquotank river, a northern arm of Albemarle sound. Vessels drawing 8 to 9 feet water may ascend both creeks to each extremity of the canal.

The intervening ground along the eastern margin of the Dismal Swamp, is almost level, the rise towards the middle not exceeding two feet above the two extremities, which are only 18 feet and 9 inches above tide water. The digging is very easy; the only obstacles arise from the stumps and roots of trees, and are nearly overcome; and a single aqueduct, or rather culvert, over a small run emptying into the North West river, is necessary.

The swamp itself supplies, at the depth at which the canal is cut, the water which has heretofore been wanted; and a sufficient supply may be drawn by a feeder of 3 miles and a half in length, cut through a perfect level from Lake Drummond, a natural reservoir in the centre of the swamp, of fifteen miles in circumference, and about six feet higher than the water in the canal.

The canal as cut by the company is 24 feet wide, and 6 feet deep, with one bank on the west side for a towing path, 18 feet broad. The whole digging, with the exception of two miles which must be deepened 3 feet, and of three quarters of a mile in another place not entirely finished, has been completed. The

locks at the two extremities of the canal are not built; but two have been erected at some distance from each extremity; probably in order to save some digging in the intervening space: they are made of square juniper logs, and have cost only $ 300 each.

The expense of digging has not exceeded $ 4,000 a mile; the whole capital expended, amounts to $ 100,000, of which the state of Virginia has furnished $ 17,500; and it is stated that the whole work may be completed in one year, and will not, including the locks and the payment of some debts contracted by the company, exceed $ 25,000. But the canal, which by the original act of incorporation was to be 32 feet wide, and 8 feet deep, can on its present plan be considered only as a local object, the principal utility of which consists in bringing to market the otherwise useless lumber of the swamp. The only boats which navigate it are flats, 40 feet long, 6 feet wide, drawing 2 feet of water, and carrying 8,000 shingles.

It must, in order to become a national object, be capable of receiving the vessels which navigate Albemarle sound, and for that purpose be restored to its first intended dimensions, or rather be widened and deepened, on the plan adopted for the Chesapeake and Delaware canal. The expense would be as followeth:

Digging, deepening to 8 feet, preserving the same level the whole way, and widening to a proper breadth, 22 miles, at $ 8,000 a mile,	$ 176,000
Four stone locks at $ 10,000,	40,000
Feeder to lake Drummond, aqueduct, and contingencies,	34,000
	$ 250,000

3. The last mentioned canal is in the most direct line of the communication through Albemarle to Pamtico sound, and the adjacent southern sounds. It has been objected, that the navigation of Pasquotank river was intricate, and that it would be more advantageous to open a communication with Chowan river, which, passing by Edenton, and then uniting with the Roanoke, forms Albemarle sound.

A company was incorporated for that purpose; but the capital was not filled, and no other operation performed, but surveying the ground. The intended canal on that route, would commence at Suffolk, on Nansemond river, which empties into James river, a few miles above, and west of the mouth of Elizabeth river; and passed along the western margin of the Dismal swamp, would reach, at a computed distance of 30 miles, Gates'

court-house on Bennet's creek, a branch of Chowan river, which vessels drawing 10 feet of water may ascend to that spot.

The highest intermediate ground is 28 feet above tide water, and consequently higher than the surface of Lake Drummond. But Bennet's creek and Curripeake swamp were considered as affording a sufficient supply of water. Should this prove adequate, the principal objection to this route will be, that the canal lands at Suffolk instead of Norfolk. This consideration, and the capital already expended on the canal from Elizabeth river to Pasquotank, seem to give a preference to this course. To which may be added, that if it be preferable to strike the waters of Chowan river, a lateral canal may be hereafter opened, along the southern margin of the Dismal swamp, from the southern extremity of the Elizabeth and Pasquotank canal, to Bennet's creek or Edenton. Whatever route may, after a critical examination of the ground, be thought the most eligible, the opening of this communication will be more easy and less expensive than either of the three northern canals.

The following table is a recapitulation of the distance to be cut on the whole line, and of the estimated expense.

CANALS.	DIRECTION.	Distance. *Miles.*	LOCKAGE. *Feet.*	EXPENSE. *Dollars.*
Massachusetts,	Weymouth to Taunton	26	260	1,250,000
New Jersey,	Brunswick to Trenton	28	100	800,000
Delaware and Chesapeake	Christiana to Elk	22	148	750,000
Chesapeake and Albemarle	Eliz. riv. to Pasquotank	22	40	250,000
	Total	98	548	3,050,000

COMMUNICATIONS BETWEEN THE ATLANTIC AND WESTERN WATERS.

The Apalachian mountains, to use an ancient generic denomination, extend in a direction west or south, from the 42d to the 34th degree of north latitude, approaching the sea, and even washed by the tide in the state of New York, and thence, in their southerly course, gradually receding from the sea shore. Viewed as a whole, their breadth may be estimated at 110 miles, and they consist of a succession of parallel ridges, following nearly the direction of the sea coast, irregularly intersected by rivers, and divided by narrow valleys. The ridge, which divides the Atlantic rivers from the western waters, generally known by the name of Allegheny, preserves throughout a nearly equal distance

of 250 miles from the Atlantic ocean, and a nearly uniform elevation of 3,000 feet above the level of the sea.

Those mountains may, however, be perhaps considered as consisting of two principal chains; between these lies the fertile lime-stone valley, which, although occasionally interrupted by transversal ridges, and, in one place, by the dividing or Alleghe-ny ridge, may be traced from Newburgh and Esopus, on the Hudson river, to Knoxville on the Tennessee.

The eastern and narrowest chain is the Blue Ridge of Virginia, which in its north-east course traverses, under various names, the states of Maryland, Pennsylvania, and New Jersey, forms the high lands broken at West point by the tide of the Hudson, and then uniting with the Green mountains, assumes a northerly direction, and divides the waters of the Hudson, and of Lake Champlain, from those of Connecticut river. On the borders of Virginia and North Carolina, the Blue Ridge is united, by an inferior mountain, with the great western chain, and thence to its southern extremity, becomes the principal or dividing moun-tain, discharging eastwardly the rivers Roanoke, Pedee, Santee, and Savannah, into the Atlantic Ocean; southwardly the Chata-houchee, and the Alabama into the gulph of Mexico, and west-wardly the New river and the Tennessee. The New river, taking a northwardly course, breaks through all the ridges of the great western chain, and, at a short distance beyond it, unites under the name of Kanhawa with the Ohio. The Tennessee pursues, at first, a south-west direction between the two chains, until having reached, and in a westwardly course turned the southern extremity of the great western chain, it assumes a northwardly direction, and joins its waters with those of the Ohio, a few miles above the confluence of that river with the Mississippi.

The western chain, much broader, and generally more elevat-ed, is known under the names of Cumberland and Gauley moun-tains, from its southern extremity, near the great bend of the Tennessee river, until it becomes, in Virginia, the principal or dividing mountain. Thence in its northerly course, towards the state of New York, it discharges westwardly the Green Briar river, which, by its junction with the New river, forms the Kenhawa, and the rivers Monongahela and Allegheny, which, from their confluence at Pittsburgh, assume the name of Ohio. Eastwardly it pours into the Atlantic ocean, James river, the Potomac, and the Susquehannah. From the northernmost and less elevated spurs of the chain, the Genessee flows into the lake Ontario; and in that quarter the northerly branches of the Sus-quehanna seem to take their source from amongst inferior ridges,

and, in their course to the Chesapeake, to break through all the mountains. From the Susquehannah, the principal chain assumes a more eastwardly direction, and, washed on the north by the lateral valley of the river Mohawk, whilst it gives rise southwardly to the Delaware, it terminates, under the name of Catskill mountain, in view of the tide water of the Hudson.

This description has been introduced for the double purpose of pointing out all the rivers which can afford the means of communication, and of showing the impracticability, in the present state of science, of effecting a canal navigation across the mountains.

The most elevated lock canal of which a correct description has been given, is that of Languedoc, and the highest ground over which it is carried, is only 600 feet above the sea. It is not believed that any canal has been undertaken, or at least completed in England, of an elevation exceeding 430 feet above the waters united by it. The Allegheny mountain is generally, and from observations made in several places, about 3,000 feet above the level of the sea. The precise height of the dividing ridge was ascertained by the commissioners, who laid out the United States road from Cumberland on the Potomac to Brownsville on the Monongahela, at 2260 above the first, and at 2150 feet above the last river. Cumberland, from the levels taken by the Potomac company, is itself 735 feet above tide water. Although some more advantageous and less elevated places may be found, particularly amongst the ridges which divide some of the upper branches of the Susquehannah from the corresponding streams emptying into the river Allegheny, there is none which is not of an elevation much beyond what has ever been overcome by canals in any other country. The impracticability arises from the principle of lock navigation, which, in order to effect the ascent, requires a greater supply of water in proportion to the height to be ascended, whilst the supply of water becomes less in the same proportion. Nor does the chain of mountains through the whole extent, where it divides the Atlantic from the western rivers, afford a single pond, lake, or natural reservoir. It may be added as a general feature of American geography, that except in the swamps along the southern sea coast, no lake is to be found in the United States, south of 41 degrees north latitude; and that almost every river north of 42 degrees, issues from a lake or pond.

The works necessary in order to facilitate the communications from the sea ports across the mountains to the western waters, must therefore consist either of artificial roads extending the whole way from tide water, to the nearest and most conveni-

ent navigable western waters; or of improvements in the navigation of the leading Atlantic rivers, to the highest practicable points, connected by artificial roads across the mountains, with the nearest points from which a permanent navigation can be relied on, down the western rivers.

The principal considerations in selecting proper directions for those communications, are, the distance from the navigable western waters, both to tide water, and to the nearest navigable Atlantic river, and the extent of navigation, either natural or susceptible of improvement, which may be afforded by the rivers. Distance alone is mentioned, so far as relates to roads, because the mountains, however insuperable for canals, offer no important impediment to land communications. So far from being an insurmountable barrier to commercial intercourse between the two great sections of the union, it is now ascertained that those mountains may almost in every direction be crossed by artificial roads, as permanent, as easy, and less expensive, than similar works in the lower country. For congress having, contrary to current opinion, directed that the road from Cumberland to Brownsville should be laid out so that its ascent should not in any place exceed an angle of five degrees with the horizon; no difficulty has been experienced in effecting the object without cutting through hills, and although the road thus laid out, be, in a distance of 72 miles, two or three miles shorter than that heretofore in use.

Although the distance from the sea to the principal dividing mountain through its whole length, between the western sources of the Susquehannah and those of the Savannah, be nearly the same, yet the Atlantic bays, penetrating the coast at different depths and in different directions, the distances from the sea ports to the nearest western navigable waters, vary considerably. Taken in straight lines from each port to the nearest branch, beyond all the mountains, of each of the four great western rivers, they may be stated as follows:

	Miles.
From Philadelphia to the confluence of Conemaugh and Loyalhannon, branches of the Allegheny,	220
From the City of Washington to the confluence of the rivers Monongahela and Cheat,	150
From Richmond to Morris's on the Kenhawa, below all the falls of that river,	210
From Savannah or Charleston to any navigable branch of Tennessee, the distance exceeds	300

The distance from the same western points, to the upper navigation of the corresponding Atlantic rivers, cannot be stated

with precision, as the upper points to which the navigation of those rivers may be improved, are not yet ascertained. The shortest portage between the waters of the Potomac, and those of the Monongahela, in their natural state, from West Port on the Potomac, to Cheat river below the falls, is about 50 miles in a straight line. But in order to secure a tolerable navigation, particularly on the Potomac, the route from Cumberland to Brownsville (Red Stone old fort) has been preferred, and the distance by the road lately laid out is 72 miles. The portage between the North fork of the Juniata, a branch of the Susquehannah, and the corresponding waters of the river Allegheny, is somewhat shorter. That between Pattonborough, on James river, and the falls of the Kanhawa, exceeds 100 miles.

The most prominent, though not perhaps the most insuperable obstacle in the navigation of the Atlantic rivers, consists in their lower falls, which are ascribed to a presumed continuous granite ridge, rising about 130 feet above tide water. That ridge, from New York to James river inclusively, arrests the ascent of the tide; the falls of every river within that space being precisely at the head of the tide. Pursuing thence southwardly a direction nearly parallel to the mountains, it recedes from the sea, leaving in each southern river, an extent of good navigation between the tide and the falls. Other falls of less magnitude are found at the gaps of the Blue Ridge, through which the rivers have forced their passage. Higher up the rapidity of the northern rivers, which penetrate through the inferior ridges of the great western chain, encreases as they approach the dividing or Allegheny mountain; and their sources being nearly at the same elevation, their rapidity encreases in proportion to the shortness of their course. For that reason the navigation of the Susquehannah above the Blue Ridge is better than that of the Potomac, which affords, as has been stated, the shortest communication from tide water to the nearest western river. The levels of the last mentioned river having been taken by the Potomac company, the general result is annexed, as giving a more correct idea of the navigation of the Atlantic rivers, than could be conveyed in any other manner.

	DISTANCE. *Miles*	FALL. *Feet.*	RATE OF FALL. *Feet per mile.*
From the mouth of Savage river, down to Cumberland,	31	445	14½
Thence to the Blue Ridge,	130½	490	4
Harper's Ferry, or Shenandoe Falls,	5½	43	
Thence to Great Falls,	40	39	1
Great and Little Falls, to tide water,	12	143	
Total,	219	1,160	

The papers marked (C) contain the information which has been collected respecting the works executed or contemplated on the great rivers already enumerated. It has not been understood that any improvements of importance had been yet attempted on the Savannah and Pedee, nor on any of the tributary streams of the Ohio; and the communications received under this head, relate only to the Santee, Roanoke, James river, Potomac, Susquehannah, and Ohio.

I. *Santee.*

The Santee, or Catawba, is said to be occasionally navigable for near 300 miles, as high up as Morgantown, in North Carolina. Two companies have been incorporated by that state, and that of South Carolina, for the purpose of improving its navigation. The lower falls are above Camden, and not far from the arsenal of the United States, at Mount Rock. A canal had been commenced there, but either from want of success in the commencement, or from want of funds, the work appears to be suspended. The market for the produce brought down that river is Charleston; and the river boats were obliged at the mouth of the river to enter the sea, and to reach that port by a navigation along the sea shore, for which they were not calculated. To remedy that inconvenience, and to insure a permanent navigation, a canal has been opened by another company, uniting the Santee with Cooper river, which empties into the harbour of Charleston.

The distance between the points united, is 22 miles: the highest intervening ground was 52 feet above Santee, and 85

feet above the river Cooper; but it has been reduced 17 feet by digging; the descent to Santee being 35 feet, effected by four locks, and that to Cooper 68 feet, effected by nine locks.

The principal supply of water is afforded by springs arising from the marshy ground at the bottom of the canal, and by several drains which collect and bring from an adjacent swamp the sources of the river Cooper. The quantity is said to be seldom deficient; yet a steam engine has been contemplated, as perhaps necessary in order to raise from the Santee an adequate supply.

The canal was carried over some small streams by means of aqueducts; inconsiderable ravines have been filled, and the ground was dug in some places to the depth of sixteen feet, in order to preserve the level. But it appears that the roots of trees were the greatest obstacle encountered in digging the canal. Its breadth is 20 feet at the bottom, and 35 feet at top: the depth of water is 4 feet; and it admits boats of 20 tons. The locks, made of brick faced with marble, are 60 feet long, and 10 feet wide.

The capital expended is stated at $ 650,667 including sixty negroes and some tracts of land belonging to the company. The canal has been completed six years; the annual tolls had never exceeded $ 13,000 before the year 1807, and the annual expenses are stated at $ 7,000. The want of success in this undertaking, which though completed is very unprofitable, may be ascribed to several causes. The expense compared with the work is much greater than might have been expected, and probably than was necessary. The locks are too small for large boats, which are therefore obliged to pursue the former route down the Santee, and by sea to Charleston; and want of water is alleged as a sufficient reason for the size of the locks. But a canal in that situation cannot in America be profitable, unless the navigation of the main river with which it communicates, is rendered safe and permanent; and whenever that of the Santee itself shall have been improved, the utility and profits of the canal will be considerably encreased.

II. *The Lower or Great Falls of Roanoke*

Consist in a succession of rapids, which in a distance of fifteen miles have a fall of ninety-three feet. This obstruction is such that almost all the tobacco of that river is transported by land to Petersburgh, on the Appomatox branch of James river. A canal has been contemplated from the upper end of the falls to Murfreesborough, situated on the tide water of a branch of Chowan river, 25 miles above the mouth of Bennet's creek,

which has been before mentioned as one of the lines of communication between Albemarle sound and the Chesapeake. The level is said to be favourable, without any obstructions or valleys in the way. The distance is 38 miles, and the expense of a small canal for boats, drawing 2 feet and a half of water, may be estimated as followeth:

Digging 38 miles, at $ 6000 a mile,	$ 228,000
Lockage 93 feet, at $ 800 a foot,	74,400
Feeder, land, &c.	47,600
	$ 350,000

The capital for this canal has never been subscribed, and it has been suggested that it would be practicable to open one to Petersburgh. It is not believed that any hills intervene in that course; and the greatest obstacle will be found in crossing the branches of Chowan river.

III. *James River.*

A company incorporated by the state of Virginia, for the improvement of the navigation of the river generally, has removed some obstructions in the upper part of the river, and is bound by the charter to render it so far navigable that there may never be less than 12 inches of water over any of the shoals or rapids, from the upper end of the lower or great falls to Pattonborough, a distance of 220 miles. The natural navigation of the river through that extent is considered as better than that of any other Atlantic river above the falls.

A communication has been opened by the company from Westham, at the upper end of the great falls, to Shockoe hill in the city of Richmond, in the following manner: The water is drawn at Westham from the river into a canal 200 yards in length, at the end of which, boats descending 34 feet through three locks re-enter the river, and after using its natural navigation three miles, are brought by a canal 3 miles and a half in length to a bason on Shockoe hill, where the navigation terminates.

That bason is about 80 feet above tide water, and one mile and a half from Rockets, the port of Richmond. The whole fall from the upper end of the canal at Westham to the bason, may be stated at 48 feet, and the distance at six miles and a half. The canal is 25 feet wide, and admits boats of eight tons, drawing three feet of water. The locks, 80 feet long and 16 feet wide, are of solid masonry; but the cement is defective. Three aqueducts have been thrown across valleys intervening in the

course of the canal; and some difficult digging was necessary on the side of hills, and through ledges of rocks.

The canal, according to the charter, was intended to have been brought down to tide water. The performance of that condition is now suspended by an act of the legislature of Virginia, and there seems to be a considerable diversity of opinion on that subject. In a national point of view, the plan which will at the least expense put coals on board vessels lying at Rockets, deserves the preference. For coal is in no other part of the United States found in abundance in the vicinity of tide water. At present the expense of transportation by the canal is already reduced to one third of the land carriage.

The original capital of the company amounted to $ 140,000, of which the state of Virginia owns fifty thousand; and $ 91,000 arising from the proceeds of tolls, had, before the 1st January, 1805, been applied to the work, making together an expenditure of $ 231,000. The annual tolls raised on fourteen thousand tons of country produce, and on two thousand coal boats, have amounted to $ 16,750, and the annual repairs and expenses are estimated at $ 5000. But as the company draw also a revenue from the rent of water, applied to mills and other water works erected along the canal, they have been able in some years to make dividends of $ 16,800, being at the rate of 12 per cent. on the original capital, but of only about 7 per cent. if calculated on the sum of $ 244,000, the amount of capital expended and interest accrued before any dividend was made.

IV. *Potomac.*

The company incorporated by the states of Maryland and Virginia, for improving the navigation of that river, has executed the following works.

1. At a distance of 12 miles above the head of the tide, which ascends about 3 miles above the city of Washington, the river is 143 feet higher than tide water. At that place, designated by the name of *Great falls*, the boats passing through a canal one mile in length, six feet deep, and twenty-five feet wide, descend 76 feet by five locks, 100 feet long, and 12 feet wide each, and re-entering the river, follow its natural bed, eight miles and a half. Another canal of the same dimensions, and two miles and a half in length, brings them then through three locks, and by a descent of 37 feet to tide water. This last fall is distinguished by the name of *Little falls*. The two lower locks of the Great falls, excavated out of the solid rock, have each a lift of 18 feet: the three upper locks of solid masonry are of unequal height,

and have together a lift of 40 feet. The three locks of the Little falls, are each 100 feet in length and 18 feet wide. That breadth is unnecessary, and consumes too much water, a defect which will be remedied, when stone locks will be substituted to those now in use, which being of wood, will soon be decayed.

Three other canals without locks have been opened around three distinct falls: the principal, at the Shenandoe falls below Harper's ferry, and at the place where the Potomac breaks through the Blue Ridge, is one mile in length around a fall of 15 feet. Between this and the Great falls another canal, three quarters of a mile in length, is opened around the Seneca falls. The third, 50 yards in length, has been cut around Houre's falls, five miles above the Shenandoe falls. Above this place, the navigation has been improved by deepening occasionally the channel, raising the water in shallow places by small dams, and opening sluices along the shore. It is believed that, by multiplying the number of those low dams, by throwing the channel along the shore, and, when necessary, opening canals with or without locks around the principal rapids, the navigation may be improved, perhaps as high up as Cumberland, 188 miles above tide water, to such a degree as to render the river passable for boats the greater part of the year. And if this be found practicable on the Potomac, which is the most rapid of the great Atlantic rivers, the same improvements may with greater facility be effected on any of the others. It will be indispensable, in order to attain that object on the Potomac, that additional canals with locks, should be opened at the Shenandoe or Blue Ridge falls, which, as has already been stated, fall 43 feet, in the distance of five miles.

2. The Shenandoe, a river nearly as large as the Potomac itself, after a course of 250 miles through the Great Lime-stone valley, unites its waters with those of the Potomac at Harper's ferry, just above the Blue Ridge. From Port Republic till within eight miles of the Potomac, a distance of near 200 miles, it affords a good navigation, the fall of the river being at the rate of less than two feet a mile. In the last eight miles it falls 80 feet, and was impassable before the improvements completed last year by the Potomac company. Six different canals, 20 feet wide, four feet and a half deep, and extending altogether 2400 yards, have been opened round the most difficult falls. Through those, and five stone locks, 100 feet long and 12 feet wide each, and effecting together a descent of near 50 feet, the communication is now opened, and will render the undertaking much more productive than heretofore. The water in all those

canals and locks, as well as in those executed on the Potomac, is uniformly supplied by the river itself.

The capital originally subscribed amounted to $ 311,560, divided into 701 shares; of which the state of Maryland owns 220, and the state of Virginia 70. The total amount expended, including an additional payment received from late subscribers, $ 38,000 arising from tolls, which have been applied to the work, and a debt of about $ 67,000 contracted by the company, amounts to $ 444,652. The annual tolls raised on 8,000 tons of sundry articles, valued at more than half a million of dollars, have not, before the opening of the Shenandoe, exceeded $ 15,000; and the annual expenses and repairs are stated at $ 5,000.

One hundred shares, of £. 145 sterling each, remain open for subscription.

V. *Susquehannah.*

This river has no perpendicular or altogether impassable falls: but from the head of the tide up to the Pennsylvania line, a distance of ten miles, the navigation is impeded by a succession of dangerous rapids; and these, though occasionally separated by sheets of smooth water, continue 40 miles higher up, at least as far as Columbia; the whole fall from this place, to the head of the tide, being estimated at about 140 feet. The navigation through that distance, at all times dangerous, is practicable only during the high freshets, when rafts and flat-bottomed boats, 80 feet long and 17 feet wide, may descend from the several widely extended upper branches of the river. Less dangerous falls are found at the place where it breaks through the Blue Ridge; above which the natural navigation from Middletown upwards, whether up the Juniata, the West branch, or the East branch, is much better than that of the Potomac, and has been improved in several places at the expense of the state of Pennsylvania. A canal one mile long, and four feet deep, with two brick locks, has also been opened around the Conewaga falls, in the gap of the Blue Ridge, $ 14,000 having been paid for that object by the same state. Its entrance is difficult, and it is used for water works, being free for navigation, though private property. From Columbia down to the Maryland line, considerable improvements in the bed of the river have also been made at the expense of the two states, and the descending navigation has on the whole been improved; but few boats ever attempt to ascend. Nor is it believed that the natural advantages of the most considerable Atlantic river will ever be fully enjoyed, until a canal shall have been opened the whole way from

Columbia, either to tide water, or to the Delaware and Chesapeake canal.

A company incorporated by the state of Maryland, for opening a canal around the falls, in that part of the river which extends from the Pennsylvania line to tide water, has completed that part of the work, the utility of which is but very partially felt, whilst the bed of the river remains the only communication from its upper extremity to Columbia.

The canal, 30 feet wide, three feet deep, and admitting boats of 20 tons, is nine miles in length, with a fall of 59 feet. The descent is effected by eight stone locks, each of which is 100 feet in length, and 12 feet wide. The water is supplied by the river itself; and in order to cross the rivers Conawingo and Octorara, these, by means of dams, have been raised 10 and 12 feet to the level of the canal.

Its defects consist in the want of sufficient breadth of the locks, which do not admit the rafts and wide flat-bottomed boats, generally used in bringing down the country produce, and in want of water at the lower end of the canal. This last defect may be remedied by extending the canal 700 yards lower down along the edge of the river; and it is probable, that as timber will become more scarce and valuable in the upper branches of the Susquehannah, boats of a different construction will be used. In the mean while, the annual tolls have not yet amounted to $ 1,000, whilst the annual expenses are stated at $ 1,200, and the capital expended at $ 250,000.

The attempts made to open a communication from Middletown, in the Lime-stone valley, to Philadelphia, partly by canals and partly by means of the Schuylkill, will be noticed under the head of "Interior Canals."

VI. *Ohio.*

The navigation of the Kenhawa, and of the eastern branches of the Tennessee, Monongahela, and Allegheny, in their course through the mountains, may at a future period be improved. But from the foot of the mountains, all those rivers, and particularly the Ohio, flow with a much gentler current than the Atlantic rivers; a circumstance easily accounted for, when it is recollected that Brownsville on the Monongahela, and at a distance of 2000 miles by water from the sea, is only 115 feet more elevated than Cumberland on the Potomac: whilst this river, with all its meanders, reaches tide water within less than 200 miles. All those rivers at the annual melting of the snows rise to the height of more than 40 feet, affording from the upper points to which they are navigable, a safe navigation to the sea for any

ship that can pass over the bar at the mouth of the Mississippi. As early as the year 1793, a schooner built on the Monongahela, between Brownsville and Pittsburgh, reached New Orleans by that extraordinary inland navigation, and arrived safely at Philadelphia. This first essay stimulated the spirit of enterprize, so conspicuous in the American character; and numerous vessels, from 100 to 350 tons burthen, are now annually built at several ship yards on the Ohio, even as high up as Pittsburgh, and bringing down to New Orleans the produce of the upper country consumed there, carry to Europe, and to the Atlantic ports of the United States, the sugar, the cotton, and the tobacco of Louisiana, and of the states of Tennessee and Kentucky.

That branch of national industry gives value to the immense forests of the Ohio and of its numerous branches, will soon make a considerable and perhaps necessary accession to the shipping of the United States, and has a tendency to diminish the price of freights from New Orleans to the other American and to foreign ports. The importance of this last consideration will be duly felt, if the magnitude of the exports, of which New Orleans is destined to be the emporium, be contrasted with the probable amount of its importations. For such are the labour, time, and expense necessary to ascend the rapid stream of the Mississippi; and the nature of its banks, annually overflowed on a breadth of several miles, precludes the possibility of towing paths; that whilst the greater part of the produce of the immense country watered by that river and its tributary streams, must necessarily be exported through its channel, the importations of a considerable portion of that country will continue to be supplied from the Atlantic sea ports, by water and land communications, susceptible of considerable improvement. And thus, unless another outlet be found for a portion of the exports, or unless the upper country can supply vessels, those exports must necessarily pay a double freight.

The only impediments to that navigation are, on the Tennessee, "the Muscle shoals," of which no particular account has been received; and, on the Ohio, the falls of Louisville. Ordinary boats can with difficulty pass these in summer, and the navigation is, even during the freshets, dangerous for the large vessels. The attention of the legislature of Kentucky, and of the inhabitants of the western country generally, has therefore been particularly drawn to the opening of a canal at that place. A company has been lately incorporated by the state of Kentucky for that purpose, with a capital which may amount to $ 500,000, but a small portion of which has yet been subscribed.

The expense however is estimated at a sum less than the nominal capital.

The proposed canal would be near two miles in length, and must be dug, in some places, to a depth of 27, but generally of about 16 feet; the breadth at the bottom being 20 feet, with the necessary slope, would make it generally 68 feet wide at top, and in particular places not less than 100. The fall at low water is about 22 feet, and would require three locks of dimensions sufficient to pass ships of 400 tons, and drawing 14 feet of water. The greatest expense will be that of digging and removing the earth, which may be estimated at 400,000 cubic yards, and, according to the representation made of the nature of the ground, will not probably cost more than $ 200,000. To this may be added $ 100,000 for the locks and other necessary works, making altogether $ 300,000. The greatest difficulty seems to be the protection of the locks and canals against the rise of the river, which sometimes overflows the whole ground through which the canal must be opened.

The expense of the improvements suggested in the communications between the Atlantic and western waters, may be stated as followeth:

1st. Four artificial roads from the four great western rivers, the Allegheny, Monongahela, Kenhawa, and Tennessee, to the nearest corresponding Atlantic rivers, the Susquehannah or Juniata, the Potomac, James river, and either the Santee or Savannah, leaving to the several states the continuation of those roads eastwardly to the nearest sea ports. Those roads should unite on each river, points from which a permanent and safe navigation downwards could, except during the driest seasons, be relied on, and will therefore on each route be estimated at 100 miles, making altogether 400 miles, which at $ 7000 a mile, the materials being generally on the spot, would cost $ 2,800,000

2dly. The improvement of the navigation of the four Atlantic rivers from tide water to the highest practicable point, effected principally by canals around the falls wherever practicable, and by locks whenever necessary. The most expensive of these would be the proposed canal from Columbia on the Susquehannah, either to tide water, or to the Delaware and Chesapeake canal. And considering how much has been effected already, and may still be done on the other rivers by the several incorporated

companies, it is believed that every useful improvement might be completed by a public expenditure not exceeding $ 1,500,000

3dly. The canal at the falls of Ohio, estimated at 300,000

Making altogether, $ 4,600,000

Although a canal navigation, uniting the Atlantic and western waters in a direct course across the mountains, appears impracticable, yet those mountains may be turned either on the north by means of the Mohawk valley and of Lake Ontario, or on the south through Georgia, and the Mississippi territory. The first communication will be noticed under the head of "the river St. Lawrence and great lakes." Of the second it will be sufficient to observe, that the country lying between the sources of the rivers Chatahouchee and Mobile, and the gulph of Mexico, is an inclined plane, regularly descending towards the sea, and that by following the proper levels, it presents no natural obstacle to the opening of a canal, fed by the waters of the two last mentioned rivers, and extending from the tide water on the coast of Georgia, to the Mississippi. The distance in a direct line is about 550 miles, and to be overcome, requires only time, perseverance, and labour. When it is recollected that such an undertaking would discharge the Mississippi into the Atlantic, the remarks already made on the trade of that river, and other obvious considerations, will sufficiently point out its immense importance. Nor should the plan, on account of its magnitude, be thought chimerical; for the elevation and other natural obstacles of intervening ground, or want of a sufficient supply of water, and not distance, are the only insuperable impediments to an artificial navigation.

This work, which is presented not as an immediate but as a distant object, worthy of consideration, will probably require ten millions of dollars, and 30 years for its completion. The annual sales of the public lands in the Mississippi territory, which are estimated at fifty millions of acres, would, after paying the debt due to the state of Georgia, afford sufficient funds; and the encreased value of the residue, would alone more than compensate the expense.

It is proper to add, that an inland navigation, even for open boats, already exists from New Orleans, by the canal Carondelet, to the lake Pontchartrain, thence between the coast and the adjacent islands to the bay of Mobile, and up its two principal rivers, the Alibama and the Tombigbee, to the head of the tide within the acknowledged boundaries of the United States. The

current of these two rivers being much less rapid than that of the Mississippi, they have long been contemplated, particularly the Tombigbee, as affording a better communication to the ascending or returning trade from New Orleans to the waters of the Tennessee, from which they are separated by short portages.

COMMUNICATIONS BETWEEN THE ATLANTIC RIVERS, AND THE RIVER ST. LAURENCE AND GREAT LAKES.

Vessels ascend the river St. Laurence from the sea to Montreal. The river Sorel discharges at some distance below that town the waters of lake George and lake Champlain, which penetrate southwardly within the United States. From Montreal to lake Ontario, the ascent of the river St. Laurence is estimated at about 200 feet. From the eastern extremity of lake Ontario, an inland navigation, for vessels of more than 100 tons burthen, is continued more than one thousand miles, through lakes Erie, St. Clair, and Huron, to the western and southern extremities of lake Michigan, without any other interruption than that of the falls and rapids of Niagara between lake Erie and lake Ontario. The descent from fort Schlosser to Devil's hole, a distance of four miles, which includes the perpendicular falls of Niagara, has by correct measurement been ascertained at 375 feet. The whole fall from lake Erie to lake Ontario, is estimated at 450 feet, making the elevation of lake Erie above tide water, six hundred and fifty feet.

Lake Superior, the largest of those inland seas, communicates with the northern extremity of lake Huron, by the river and rapids of St. Mary's. The fall of these is not ascertained: but it is said that a small canal has been opened around the most difficult part, by the North-West Fur company.

Five of the Atlantic rivers approach the waters of the St. Laurence; viz. the Penobscot, Kennebeck, Connecticut, the North, or Hudson river, and the Tioga branch of the Susquehannah. This last river will afford a useful communication with the rivers Seneca and Genessee, which empty into lake Ontario. The length of the portage has not been precisely stated; and the general navigation of the Susquehannah has already been noticed. It may, however, be observed, that it is the only Atlantic river whose sources approach both the western waters, and those of the St. Laurence.

The three eastern rivers afford convenient communications with the province of Lower Canada, but not with that extensive inland navigation, which penetrates through the United

States, within two hundred miles of the Mississippi. No statement has been received of any improvement having yet been made on the Penobscot, or Kennebeck; and a very imperfect account has been obtained of some short canals opened around the several falls of the river Connecticut. One at Bellows' falls, in the state of Vermont, has been particularly mentioned, and is the highest improvement on the river.

What is called the North river, is a narrow and long bay, which in its northwardly course from the harbour of New York, breaks through, or turns all the mountains, affording a tide navigation for vessels of 80 tons to Albany and Troy, 160 miles above New York. This peculiarity distinguishes the North river from all the other bays and rivers of the United States. The tide in no other ascends higher than the granite ridge, or comes within thirty miles of the Blue Ridge, or eastern chain of mountains. In the North river, it breaks through the Blue Ridge at West Point, and ascends above the eastern termination of the Catskill, or great western chain.

A few miles above Troy, and the head of the tide, the Hudson from the north, and the Mohawk from the west, unite their waters, and form the North river. The Hudson, in its course upwards, approaches the waters of lake Champlain, and the Mohawk, those of lake Ontario.

I. *Hudson and Champlain or Northern Navigation.*

A company was incorporated several years ago by the state of New York, for the purpose of opening this communication, and a survey taken by Mr. Weston, a copy of which has not yet been obtained. From collateral information, it appears that it was proposed to open a canal 12 miles long, with a lockage of 106 feet, from Waterford, at the confluence of the Hudson and Mohawk, to the upper end of the great falls of Stillwater. This was considered as the most difficult part of the whole route, and the expense estimated at $ 275,000. Another canal and lock would be necessary around the falls of fort Miller: but the remainder of the navigation up the Hudson to fort Edward, does not require any material improvement.

At some distance above fort Edward, it was intended to connect, by a canal and locks, the Hudson with the North Wood creek, at fort Ann. The navigation down the creek to Skeensborough is used, but requires to be improved. At this place, where falls render another canal necessary, North Wood creek empties into the south bay of lake Champlain; and thence is a natural sloop navigation through the whole extent of the lake.

The expense of the works from fort Edward to Skeensborough, had been estimated at $ 200,000.

The funds of the company were insufficient, and have, it is said, been expended without much permanent utility at Stillwater and Skeensborough.

The distance in a straight line from Waterford to Skeensborough is fifty miles; and the expense of opening a permanent boat navigation on a proper plan through the whole line, is from imperfect materials estimated at about $ 800,000. This communication would divert to a port of the United States the trade of one half the state of Vermont, and a part of that of New York, which is now principally carried through the channel of the St. Laurence, and of the province of Canada.

II. *Mohawk and Ontario, or Western Navigation.*

A company incorporated by the state of New York, for the improvement of this navigation, has made considerable progress, and an accurate survey having been taken of the distances and levels of the greater part of the route, the result will in the first place be stated.

	DIST. *Miles.*	FALL. *Feet.*
From the tide water at Troy to Lansing mills on the Mohawk, is found the greatest impediment to the navigation of that river, consisting of the Cohoes falls, which are 70 feet perpendicular, and of a succession of other falls, which continue to the North river,	$4\frac{2}{3}$	140
From Lansing mills up the Mohawk to Schenectady, the height of the river at the time when the survey was taken prevented Mr. Weston from correctly ascertaining the levels. The fall for that distance is therefore estimated at	$12\frac{1}{3}$	$28\frac{1}{4}$
From Schenectady to the Little falls,	$57\frac{1}{2}$	$110\frac{1}{3}$
The Little falls, which before the improvements made by the company, interrupted altogether the navigation,	$\frac{3}{4}$	42
From the Little falls to fort Stanwix, now Rome,	48	$59\frac{1}{8}$
This is the head of the navigation, and the summit level between it and West Wood creek, a branch of lake Ontario, is 9 feet $\frac{3}{4}$		
Carried over	$123\frac{1}{4}$	$380\frac{1}{4}$

	DIST. *Miles.*	FALL. *Feet.*
Brought over	123¼	380¼
above that part of the river Mohawk, where the navigation ceases,	1¾	9¾
	125	390

The whole course of the Mohawk is therefore 125 miles in length, and the fall through that distance from the summit level to tide water is 390 feet.

At a distance of one mile and three quarters is Wood creek, the bed of which is used to its entrance into lake Oneida, the distance along its meanders being 23 miles, but in the line in which a canal might be cut, only 14 miles and the fall 60 feet, 14 60

The Oneida forms a natural canal of twenty miles in length, and communicates by the Onondago and Oswego rivers, with lake Ontario. The distance by water down those two rivers to Oswego on lake Ontario, is 63 miles. The upper part of the navigation is generally good, but the last 12 miles from the Oswego falls, which are not passable, to lake Ontario, are a continued rapid. The fall from lake Oneida to lake Ontario has not been ascertained by actual measurement, but is estimated at 130 feet. From Rotterdam, on lake Oneida, to the mouth of Salmon creek on lake Ontario, a few miles east of Oswego, the distance is 22 miles; and the ground being favourable, it is expected that the line of canal would not exceed 26 miles, 20 26 130

60 190

The elevation of the summit level between the Mohawk and the waters of lake Ontario, being only 390 feet above the tide water at Troy, and 190 feet above lake Ontario, a canal navigation is practicable the whole distance. Whether this should be attempted for a sloop or boat navigation, must depend principally, if not altogether, on the supply of water. It is stated that

the canal from the summit level to Troy, must necessarily follow the valley of the Mohawk, and perhaps occasionally enter and cross the river. Calculated for a boat navigation, the expense may be estimated as followeth:

Mr. Weston estimated the expense of a canal, from Lansing mills to tide water at Troy, around the Cohoes falls, at	$ 250,000
The distance from the summit level to Lansing mill is 120 miles, and to lake Ontario, deducting the 20 miles occupied by lake Oneida, 40 miles, together 160 miles of canal, the digging of which, at $ 8000 a mile, is	1,280,000
The fall from the summit level to Lansing mills is 250 feet, and to lake Ontario 190 feet, together 440 feet lockage, which will require 55 locks of eight feet lift each. These at $ 7,500, the cost of the stone locks erected by the company at the Little falls, will cost about	420,000
Feeder and aqueducts may be estimated at	250,000
Making altogether two millions two hundred thousand dollars.	$ 2,200,000

It is not believed that a sloop navigation, if practicable, could be effected for a less sum than five millions of dollars. The following works have already been completed by the company.

At the Little falls a canal, three quarters of a mile in length, has been opened, and a descent of 42 feet effected by six locks of solid masonry, each of which is 70 feet long, and 12 feet wide. At the German flats, four miles above the Little falls, another canal one mile in length, with two stone locks of the same materials and dimensions, effects a descent of ten feet.

On the summit level a canal, one mile and three quarters in length, and supplied with water from the river Mohawk by a short feeder, unites that river and Wood creek, by means of two locks of the same dimensions and materials, one at each extremity of the canal. All those canals are 2 feet and a half deep, 24 wide at bottom, and 32 at top, and admit boats of ten tons. It is proper to state, that at first, wooden locks had been erected at the Little falls, and brick locks on the summit canal. At both places they had become totally unfit for service at the end of seven years, and it was necessary to replace them by

stone locks: a circumstance which encreased considerably the expense of the undertaking.

Several minor improvements have been made on the Mohawk; and the navigation of Wood creek, of which the principal defect is want of water, has been improved by raising dams, and by the erection of four temporary wooden locks. But until a canal shall have been opened the whole distance from the summit level to lake Oneida, the navigation will be imperfect, and the profits inconsiderable.

The funds of the company do not enable them to undertake the necessary improvements at the two extremities of the line, a canal around the Cohoes falls to tide water, and another canal from lake Oneida to lake Ontario. The usual portage at the first place is from Schenectady to Albany; and a very good and expensive artificial road of 16 miles, made by another company, unites the two towns. Another company has lately been incorporated, for the purpose of making an artificial road at the other extremity of the line from Rotterdam, on lake Oneida, to Salmon creek, on lake Ontario.

The capital of the company is $ 232,000, of which the state of New York owns 92,000; but with the exception of one dividend of 3 per cent. all the tolls have been applied to the works; and including these and a debt of $ 20,000, due by the company, the whole expenditure amounts to $ 370,000. The annual tolls do not yet exceed $ 13,000.

III. *Niagara.*

The fall from Lake Erie to Lake Ontario has already been stated at 450 feet. A company had also been incorporated by the state of New York, for the purpose of opening a canal at this place; but it does not appear that any thing ever was attempted after the survey had been made. The intention seems to have been to open a canal navigation for boats only, from fort Schlosser to Devil's hole; the lake itself and Giles's creek would have supplied the water, and the expense was estimated at $ 487,000.

It is however evident that the canal, in order to be as eminently useful as the nature of the undertaking seems to require, should be on such a scale as to admit vessels which can navigate both lakes. Considering the distance, which in that case must be extended to about 10 miles, and the lockage of 450 feet, it is not believed that the expense can be estimated at less than $ 1,000,000.

The works necessary to effect water communications between the tide water of the North river, the St. Laurence, and all the

lakes (lake Superior only excepted), are therefore estimated at $ 4,000,000, viz.

Northern navigation to lake Champlain,	$ 800,000
Western navigation to lake Ontario,	2,200,000
Falls of Niagara for a sloop navigation,	1,000,000
	$ 4,000,000

The papers relative to those communications will be found under the letter (B); but the utility of these will not be confined to the extensive navigation of the lakes themselves. For the mountains being completely turned, when arrived into lake Erie, the ridge which separates the waters emptying into that and into lake Michigan, from the northern branches of the Ohio, and from the waters of the Mississippi, is of a moderate elevation, and is gradually depressed in its course westwardly. There is no doubt of the practicability of opening canals at a future period, between several of those waters, either by selecting proper levels, or by means of short tunnels across favourable parts of the ridge. It will at present be sufficient to point out the principal communications now in use.

The distance from lake Erie to lake Chetoughe, an extensive and important elevated reservoir, which is the source of the Canowango branch of the Allegheny, is seven miles, by a continual ascent, the elevation of which is not ascertained.

From Presqu'isle on lake Erie, to Le Beuf on French creek, another branch of the Allegheny, the distance is 16 miles, and a company is incorporated by the state of Pennsylvania, for making an artificial road across that portage.

The navigation from lake Chetoughe, and from Le Beuf to Pittsburgh, offers no impediment whenever the waters are high; and the greater part of the salt now consumed in the north-west counties of Pennsylvania, as far as Pittsburgh, and some distance down the Ohio, is brought from the salt springs of New York, by Oswego, through lake Ontario; then across the portage of Niagara to lake Erie, and thence by either of the two last mentioned portages to the waters of the river Allegheny.

The distance from the place where the Cayuga, a river emptying into lake Erie, ceases to be navigable, to the navigable waters of the Muskingum, which empties into the Ohio 170 miles below Pittsburgh, is only six miles; and a company is said to be formed for the improvement of that communication.

Sandusky river and the Scioto take their sources in the same swamp. The navigation of the Miami of lake Erie is interrupted by some falls; but its upper branches approach those of the

Miami of the Ohio, and of the Wabash, and are stated as being nearly on the same level.

The Illinois river, which empties into the Mississippi above St. Louis, rises in a swamp, which, when the waters are high, affords a natural canoe navigation to the sources of Chicago creek, a short stream, which falls into lake Michigan, at its southern extremity.

Another communication generally used by the Indian traders is that from Green bay, also in lake Michigan, to the Mississippi, by Fox river, and the Ouisconsing. Nor is there any doubt that if the inland navigation between the North river and the lakes was completely opened, the whole Indian trade, either of the Mississippi by lake Michigan, or of the north-west by lake Superior, must necessarily centre in an Atlantic port of the United States; a consideration of minor importance as a commercial object, when compared with the other advantages of that great communication, but of great weight in its relation to the political intercourse of the United States with the Indians.

INTERIOR CANALS.

Under this denomination will be included all the canals of which any knowledge has been obtained, and which are not immediately on the rivers opening communications with the western waters or with those of the St. Laurence, although some of them may be considered as extending those communications to more remote sea ports. The documents from which the information is extracted will be found under the letters (C c.)

I. *Merrimack.*

The navigation of that river, which rising in the state of New Hampshire, falls into the sea at Newburyport after a course of 180 miles, is interrupted by several falls. A canal called Blodget's canal has been opened around Asmoskeag falls.—Lower down and about 40 miles from the sea, the Essex canal, four miles in length, and admitting boats drawing three feet and a half, will open a communication around the Patucket falls, effecting, through three locks, a descent of 34 feet. From the lower extremity of the canal, the river is navigable to the head of the tide at Haverhill, although the fall be 45 feet within that distance. No particular account has been received of the capital expended; but it is believed that the work will be profitable to the undertakers.

The Middlesex canal, uniting the waters of that river with

the harbour of Boston, is however the greatest work of the kind which has been completed in the United States.

That canal, 12 feet wide and $3\frac{1}{3}$ feet deep, draws its supply of water from Sudbury or Concord river, a branch of the Merrimack, and from the summit ground extends six miles with a descent of 28 feet to the Merrimack above the Patucket falls, and 22 miles with a descent of 107 feet to the tide water of the harbour of Boston. The descent to the Merrimack is effected by three, and that to tide water, by 19 locks. They are all 90 feet long, 12 feet wide, of solid masonry and excellent workmanship.

In order to open that canal, it was necessary to dig in some places at the depth of 20 feet, to cut through ledges of rocks, to fill some valleys and morasses, and to throw several aqueducts across the intervening rivers. One of these across the river Shawshine is 280 feet long, and 22 feet above the river. All those obstacles have been overcome, and boats of 24 tons, 75 feet long, and 11 feet wide, can navigate the canal. Those in most general use are of smaller dimensions, and are drawn by two horses at the rate of three miles an hour. A raft of one mile in length and containing 800 tons of timber, has been drawn by two oxen, part of the way at the rate of one mile an hour. Common boats pass from one end of the canal to the other in 12 hours. The capital expended on the work is stated at $ 478,000, and the water rights and necessary land cost a further sum of $ 58,000. The total expense has exceeded $ 550,000; the tolls have never yet exceeded $ 17,000 a year, but are encreasing.

Several other canals have been contemplated in the state of Massachusetts, intended to unite the waters of Providence or Patucket river, with those of Charles river, which falls into the harbour of Boston, and the river Connecticut. The grounds have been surveyed, but no particular description has been obtained, and the works have not yet been commenced.

II. *Schuylkill and Delaware.*

A company was incorporated several years ago by the state of Pennsylvania, for opening a canal from Norristown, on the river Schuylkill, to the tide water of the Delaware at Philadelphia. The distance is 16 miles, the fall 53 feet, and the canal, deriving its water from the Schuylkill, would have been carried on a level to Philadelphia, and in its descent to the Delaware supplied the city with water, and the shipping with docks. The expense had been estimated at $ 533,000; the work was commenced, one third part of the digging effected, and a considerable sum expended. But either from want of funds, or from an improper

selection of the ground, or from other causes not fully understood, the undertaking, if not altogether abandoned, has been suspended for several years.

This canal was intended as the first link of an extensive western communication. The Schuylkill, from Norristown to Reading, 46 miles higher up the river, being navigable a great portion of the year, was considered as the next link.

III. *Schuylkill and Susquehannah.*

Another company was incorporated, for the purpose of opening an inland navigation between Reading, on the Schuylkill, to Middletown, on the Susquehannah. Both towns are in the great Lime-stone valley, beyond the Blue Ridge, and the distance is 70 miles. It had been at first supposed that it would be sufficient to cut a canal four miles in length, on the summit level between the two rivers; and thereby to unite the Tulpehocken, which falls into the Schuylkill, with the Quitipahilla, a branch of the Swatara, which empties into the Susquehannah. But it was soon ascertained that the original plan of improving by a succession of dams the navigation of those small rivers was erroneous, and that it would be necessary to cut a canal the whole way.

The summit level is at an elevation of 310 feet above the Schuylkill, and of 308 feet above the Susquehannah. Adjacent springs are considered sufficient for the upper locks: and the creeks would after a short descent afford an abundant supply. The proposed dimensions of the canal were a breadth of 20 feet at the bottom, and a depth of 3 feet and a half: and the expense was estimated at near $ 1,500,000.

The work was commenced: the canal has been cut the whole distance of 4 miles on the summit level; five locks made of brick have been constructed; land and water rights have been purchased, and a considerable capital has been expended. But although the state of Pennsylvania has permitted the company to raise $ 266,000 by lottery, and is bound to pay to them $ 300,000, whenever the work shall have been completed, it remains suspended for want of funds.

The great lockage necessary for this canal, is the principal objection to that line of communication: and it has been suggested that a canal from Columbia, on the Susquehannah, to tide water or to the great Delaware and Chesapeake canal, would be much less expensive, and equally beneficial both to the interior country and to Philadelphia. This question, as many others suggested in this report, cannot be decided by any but practical and skilful engineers.

IV. *Appomattox.*

A company has been incorporated for opening a canal from the upper end of the falls of that river, which is the south branch of James river, to Petersburgh, on the head of the tide. The distance is five miles, and the descent more than thirty feet to a bason, about 60 feet above the tide, in which the canal will terminate. The water is drawn from the river; and the canal, 16 feet wide, 3 feet deep, and admitting boats of 6 tons, is nearly completed. The capital already expended amounts to sixty thousand dollars. But the company own thirty negroes, and suppose that their labour, and a further sum of ten thousand dollars, will be sufficient to build the locks, and to dig about half a mile which remains to be cut in order to open the communication between the river and the bason. This work, which has been carried on with much zeal, and at a small expense, will open an important navigation of near 100 miles.

V. *Neuse and Beaufort.*

The harbour of Beaufort, in North Carolina, and which must not be confounded with that of the same name in South Carolina, admits vessels drawing eighteen feet of water. Ocracoke inlet, the only navigable entrance into the Pamtico and Albemarle sounds, that extensive estuary of the rivers Chowan, Roanoke, Tar, and Neuse, has less water, and is 70 miles from Newbern, on the last mentioned river. The distance between Newport, or Beaufort river, and the Neuse being only three miles, and the elevation of the highest intervening ground no more than seven feet above tide water, a canal uniting the two rivers was undertaken by a company, incorporated for that purpose by the state of North Carolina. All the shares have, from particular circumstances, become the property of one individual; and the work, which had been commenced some years ago, is now suspended.

VI. *Cape Fear River.*

A company incorporated by the same state, for improving the navigation of this river, after having exhausted a portion of their funds, which did not exceed twelve thousand dollars, in fruitless attempts to improve the natural navigation of the river, have opened a canal with a lock, which opens a safe passage around the Buck horn or great falls, seven miles below the junction of the Deep and Haw river. Another canal, six miles in length, with two locks, is necessary around Smilie's falls. Nearly half that distance has been completed; but the work

is now suspended for want of funds. The legislature has lately authorised the company to encrease their capital.

VII. *New Orleans.*

The canal Carondelet, which has already been mentioned, extends from Bayou St. John, to the fortfications or ditch of the city, and thereby opens an inland communication with lake Pontchartrain. A company is incorporated by the territorial legislature, for the purpose of repairing and improving that work, and of uniting the canal by locks with the Mississippi. Independent of other advantages, this undertaking would enable government to transport with facility and use the same naval force for the defence of both the Mississippi and lake Pontchartrain, the two great avenues by which New Orleans may be approached from the sea.

TURNPIKE, OR ARTIFICIAL ROADS.

A great number of artificial roads have been completed in the eastern and middle states, at an expense varying from less than one thousand to fourteen thousand dollars a mile. The labour bestowed on the least expensive species consists in shortening the distance, diminishing the ascent of hills, removing rocks, levelling, raising, and giving a proper shape to the bed of the roads, draining them by ditches, and erecting bridges over the intervening streams. But the natural soil of the road is used, instead of covering it with a stratum of gravel or pounded stones.

It appears by one of the papers marked (D), under which letter will be found all the information which has been obtained respecting roads, that fifty turnpike companies have been incorporated, since the year 1803, in the state of Connecticut alone; and that the roads undertaken by those companies are all of that description. Thirty-nine of those roads, extending together 770 miles, are completed. The most expensive is that from New Haven to Hartford, which has cost $ 79,261; or, the distance being 34 miles and three quarters, at the rate of $ 2,280 a mile: but about $ 18,000 of the capital have been expended in the purchase of the land through which the road is carried. The nett income on this road, deducting the annual repairs and expenses from the annual tolls, does not exceed $ 3,000. Of six of the roads, which together extend 120 miles, no account has been received. The other thirty-two extend together 615 miles, and have cost only $ 340,000, or on an average at the rate of $ 550 a mile: and it seems that the aggregate of annual tolls

on the whole is $ 86,000; from which deducting the annual repairs and expenses, amounting to $ 48,000, leaves a nett income of $ 38,000, or of about eleven per cent. on the capital expended.

No particular account has been received of the roads in the other eastern states; but it is known, that besides some of a similar description with those of the state of Connecticut, several of a more expensive kind have been completed, particularly in Massachusetts. The cost has varied from 3000 to $ 14,000 a mile; and amongst artificial roads of the first grade may be mentioned those from Boston to Providence, to Salem, and to Newburyport. These are all covered with an artificial stratum of gravel or pounded stones, and finished in the most substantial manner. Great expense has also been incurred in order to shorten the distance without exceeding the angle of ascent, which is fixed at 5 degrees; and it is stated that the road to Newburyport, 32 miles in length, and in which marshes and rocks presented considerable obstacles, has cost $ 400,000, or at the rate of $ 12,500 a mile. Those expensive roads, however useful and permanent, appear to be much less profitable than those of Connecticut. The Salem road is said to yield six per cent. another road has been stated as yielding eight per cent. the income of all the others in the state of Massachusetts, is said not to exceed on an average three per cent. and that of the road from Boston to Newburyport, amounts to no more than two per cent.

A greater capital has been vested on turnpike roads in the state of New York, than in any other. In less than seven years, sixty-seven companies have been incorporated, with a nominal capital of near five millions of dollars, for the purpose of making more than 3000 miles of artificial roads; and twenty-one other companies have also been incorporated, with a capital of 400,000 dollars, for the purpose of erecting 21 toll bridges. Although no particular account has been received either of the capital actually expended, of the annual amount of tolls, or of the materials of the roads, it is known that great progress has been made: and it has been stated that 900 miles of road were already completed by 28 companies, whose capital amounted to 1,800,000 dollars, and who had 200 miles of road more to finish.

Those roads extend in every direction, but particularly from every town or village on the North river, westwardly and northwestwardly, towards the waters of the Susquehannah, and those of the great lakes. The most expensive is that from Albany to Schenectady, fourteen miles long, and which has cost at the rate

of $ 10,000 a mile. Near 140 miles of roads extending westwardly from Albany and Schenectady, appear to have cost at the rate of 2,500 or $ 3,000 a mile. The expense of all the others does not seem on an average to exceed $ 1,250 a mile.

More detailed information has been obtained respecting the roads in New Jersey, Pennsylvania, and Maryland.

In New Jersey a turnpike road has lately been completed from Trenton to Brunswick. The distance is 25 miles; the greatest angle of ascent 3 degrees; and the road is nearly in a straight line, the only considerable obstruction being the "Sand Hills," through which it was necessary to dig at the depth of thirty feet, in order not to exceed the angle of ascent. The road is 36 feet wide, fifteen feet of which are covered with about 6 inches of gravel. A few wooden bridges with stone abutments and piers have been erected across the intervening streams. The whole expense is stated at $ 2,500 a mile. From Brunswick the road will be extended to Elizabeth town, and the work is now progressing. Another road has been undertaken in the same state from Brunswick to Easton, on the river Delaware. The distance is 43 miles, of which eleven have been completed, at an expense of $ 40,000. This road will be more expensive than the preceding, both on account of the ground, the bridges being more numerous, and the Blue Ridge (Musconekong mountain) intervening; and because a more substantial facing or greater thickness of gravel is requisite. The funds of the company are exhausted.

In Pennsylvania, artificial roads of the most substantial kind have been completed, or are progressing, from Philadelphia, in sundry directions.

The principal are to Bristol and Trenton, 12 miles of which are completed; to Germantown and Perkiomen, with two branches to Willow Grove, and to Chesnut Hill; and to Lancaster and Columbia, with a branch to Harrisburgh.

The distance from Philadelphia to Perkiomen is 25 miles and a quarter; the two branches extend, one 10 miles and the other 7 miles and a half; making together near 43 miles. The angle of ascent is 4 degrees; the breadth of the road fifty feet, of which 28 feet, having a convexity of 15 inches, are covered with a stratum either of gravel 18 inches thick or of pounded stones 12 inches thick. One half of the stones forming the lower part of the stratum, are broken into pieces not more than five inches in diameter: the other half or upper part of the stratum consists of stones broken into pieces not more than two inches and a half in diameter: and this difference in the size of the stones is represented as a considerable defect. Side or summer

roads extend on each side of the gravel or stone road. The five miles next to Philadelphia have cost at the rate of $ 14,517 a mile. The other 20 miles and a half at the rate of $ 10,490 a mile. Yet there were no natural impediments, and only small bridges or culverts were necessary. The capital expended on these 25 miles and a half is $ 285,000: the tolls amount to $ 19,000: the annual repairs and expenses to $ 10,000: the nett income to about $ 9,000, or little more than 3 per cent. on the capital expended.

The distance from the Schuylkill, at Philadelphia, to Lancaster, is 62 miles and a quarter. Exclusively of the side or summer roads, 24 feet of the bed of the road are covered with a stratum of pounded stones, 18 inches thick in the middle of the road, and decreasing each way to 12 inches. The Valley hills are the most elevated and steep on the road; but the angle of ascent nowhere exceeds 4 degrees. Stone bridges have been erected across all the intervening streams. That across the river Conestogo, consisting of nine arches, is private property; and the most expensive built by the company, is that across the Brandywine, consisting of three arches of solid masonry, and which cost $ 12,000. The capital of the company amounted to $ 360,000; but this being insufficient, it became necessary to apply a considerable portion of the tolls to the completion of the work. The whole expense amounts to $ 465,000, or at the rate of about $ 7,500 a mile. The annual tolls have not yet exceeded $ 25,000; and the annual repairs and expenses are estimated at $ 13,000, leaving a nett income of about $ 12,000. The prospect of an increased profit, derived from the proposed extension of the road, has however raised the price of that stock nearly to par.

The Lancaster road, the first extensive turnpike that was completed in the United States, is the first link of the great western communication from Philadelphia. It has been extended ten miles westwardly to Columbia on the Susquehannah, and another branch is now progressing northwestwardly to Harrisburgh, also on the Susquehannah, and 36 miles from Lancaster. The state of Pennsylvania has also incorporated two companies, in order to extend the road by two different routes as far as Pittsburgh on the Ohio, and near 300 miles from Philadelphia. The southern route, following the main post road, passes by Bedford and Somerset. The northern route passes by Huntingdon and Frankstown, the highest point to which the Juniata branch of the Susquehannah is navigable. To this route the state has authorised a subscription of $ 100,000.

Other roads in a north-west direction from Philadelphia, towards the Genessee and Presqu'isle on lake Erie, are also progressing, and have been encouraged by the subscriptions or donations of the legislature. They are generally on a much less expensive plan than those in the direction of Pittsburgh. A section of 30 miles from Lausanne on the Lehigh, to Nescopeck on the Susquehannah, has been completed at the expense of $ 36,000, by a company; and it is intended to extend it 70 miles further to Newton, on the Tioga branch of the Susquehannah.

In Maryland, roads extending from Baltimore in various directions have lately been undertaken by several companies, and are rapidly progressing. On the falls turnpike, which extends in a northerly direction, about four miles of a road 22 feet wide, covered with a stratum of pounded stones 10 inches thick, and having an ascent not exceeding four degrees, have been completed at the rate of $ 7,500 a mile.

The "Reister town" turnpike, in a northwestwardly direction, extends 16 miles to that village; whence two branches, extending one 19 and the other 29 miles farther, will enter Pennsylvania at two different places. The road, 24 feet wide, is covered with a stratum 12 inches thick, of pounded stones not more than three inches in diameter. The angle of ascent does not exceed three degrees and a half. Ten miles have been completed at the expense of $ 10,000 a mile, and the work is progressing. The capital of the company amounts to $ 420,000.

The capital of the "Frederick town" turnpike company amounts to $ 500,000; and the company is authorised to open the great western road, as far as Boonsborough, beyond the Blue Ridge, and 62 miles from Baltimore. The angle of ascent will not exceed four degrees; the road has a convexity of nine inches, and on a breadth of 22 feet is covered with a stratum 10 inches thick of pounded stones, not exceeding three inches in diameter, over which are spread two inches of gravel or coarse sand. The first 20 miles next to Baltimore have cost at the rate of $ 9,000, and the next 17 miles are contracted for at the rate of $ 7,000 a mile.

The distance from Boonsborough to Cumberland, at the foot of the Allegheny mountain, following the present road, is 73 miles; and although the company is not yet authorised to extend the turnpike to that place, the ground has been surveyed, and it is ascertained that the road may be continued with an angle of ascent not exceeding four degrees. The ascent of the road laid out by the United States from Cumberland to Brownsville, on the Monongahela, does not exceed five degrees, and the distance is 72 miles: making the whole distance of a turnpike road from

Baltimore to the navigable waters of the Ohio, 207 miles. The distance from the City of Washington to the same spot on the Monongahela is some miles shorter, being, as has already been stated, the shortest communication between tide water and the navigable western waters.

South of the Potomac few artificial roads have been undertaken. From Alexandria one is now progressing in a northwestwardly direction towards Middleburgh. Another has lately been commenced from Richmond to Ross's coal mine. But the only one which, so far as any accounts have been received, is completed, extends 12 miles from Manchester, opposite to Richmond, in a westwardly direction to the coal mines of Falling creek. This road, 36 feet wide, is gravelled, and has cost $ 50,000; but the last four miles did not cost more than at the rate of $ 3,000 a mile. Yet it is sufficiently substantial, the route being very level, to admit waggons carrying four tons.

The greater progress made in the improvement of roads in the northern parts of the union, must be principally ascribed to a more compact population, which renders those improvements more necessary, and at the same time supplies with greater facility the means of effecting them. The same difference is perceptible in the number of bridges erected in the several states.

In the eastern states, and particularly Massachusetts, wooden bridges, uniting boldness to elegance, and having no defect but want of durability, have been erected over the broadest and deepest rivers. In the lower counties of Pennsylvania stone bridges are generally found across all the small streams. Both in that state, and at some distance eastwardly, bridges with stone piers and abutments, and a wooden superstructure, are common over wide rivers. Of these the most expensive, and which may be considered as the first in the United States, is the permanent Schuylkill bridge near Philadelphia, erected by a company at an expense of $ 300,000. Its length, including the abutments, does not exceed 750 feet, and it is supported only by two piers and the abutments. But those piers, 195 feet apart, are of the most solid workmanship, and one of them was sunk at a depth of more than 24 feet below low water. The bridge is 42 feet wide, and the wooden superstructure is enclosed, and covered with a shingle roof.

The want of bridges south of Pennsylvania, even on the main post road, is sensibly felt. One lately thrown across the Potomac, three miles above the city of Washington, and which, without any intervening piers, is wholly suspended to iron chains extending from bank to bank, deserves notice on account of the

boldness of its construction, and of its comparative cheapness. The principle of this new plan, derived from the tenacity of iron, seems applicable to all rapid streams of a moderate breadth.

The general principles of improved roads seem to be: 1st, the reduction of hills, by diminishing the angle of ascent, which ought not to exceed, whenever practicable, three degrees and a half, and under no circumstances five degrees: 2d, a sufficient convexity in the bed of the road, together with ditches and drains, all which are intended to prevent the injury caused by standing water or freshets: 3d, an artificial bed of pounded stones or gravel, sufficiently substantial to support the weight of the carriages in general use on the road, either for the conveyance of persons, or for the transportation of merchandize.

On the last point it appears, from the facts already stated, or scattered in the communications received on that subject: 1st, That the stones ought to be similar in quality, and reduced to the same size, which should not exceed three inches in diameter: 2d, That the preferable qualities of stone, rank in the following order—hard black stone, granite, flint or quartz, blue limestone, white ditto: 3d, That the stratum may be either of pounded stones 12 inches thick, or of pounded stones 10 inches thick, with two inches of gravel spread over the stones; or entirely of gravel 18 inches thick: 4th, That when the materials are equally convenient, the expense of those three modes will not materially differ, but that the rate of expense depends principally on the number of hills and bridges, distance of materials, breadth of the road, and price of labour: and 5th, That the general adoption of broad wheels for the transportation of heavy loads, is necessary to the full enjoyment of the advantages expected from the most substantial artificial roads. On the degree of convexity, and on the proper shape to be given to the natural bed of the road under the artificial stratum, a diversity of opinions seems to prevail.

The roads heretofore made may be divided into three general classes.

1. Those where the only improvement consists in the reduction of hills, and in the convexity and ditches of the road, whereby the angle of ascent is rendered more easy, and standing water excluded; but where the natural soil is used without any artificial stratum. The expense of these roads may vary, according to local circumstances, and the perfection of the work, from 500 to 1000 dollars a mile. They are most generally in use in the eastern states, and may be introduced with advantage in all those districts of country, where wealth does not admit more expensive improvements, or where the materials of an artificial stratum are altogether wanting. It is only in the last case, that

they may be considered as a national object; and no other improvement besides bridges and causeways, is perhaps practicable in the lower country of the southern states. Iron, and even timber rail roads, may however be sometimes substituted in those level parts of the country, where stones and gravel are not to be found.

2. Roads prepared as above, of a reduced breadth, and covered with a thin coat of gravel, not more than six or nine inches thick; such as the turnpike lately made between Trenton and Brunswick. These roads, the expense of which may be estimated at about $ 3,000 a mile, may be used wherever the frost does not materially affect them, and in every climate, when they are intended principally for the conveyance of persons, and not for the transportation of heavy loads.

3. The artificial roads of the best construction, such as have been already described. These, when not exceeding 22 feet in breadth, and except in the vicinity of large cities, will cost at the rate of $ 7,000 a mile, exclusively of bridges over large rivers. And they must be resorted to whenever a *commercial* road for heavy transportation is intended, particularly in the middle states, or rather in the United States, between 41 and 36 degrees of north latitude. North of the 41st degree, the snow lies generally during the whole winter; and the great bulk of heavy transportation is effected in sleighs during that season. There is therefore less necessity for using the roads in the spring; and they are also better protected against the effects of the frost by the snow. South of the 36th degree, which in the Atlantic states may be considered as the boundary of the great cotton cultivation, the frost does not materially injure the roads. It is between those two extremes that the most substantial are required; and it also happens that the great land communications with the western country, which considerably increase the amount of transportation, are principally within the same limits.

The same principles, which have directed the arrangement adopted in this report in relation to canals, will also point out those roads which seem in the first instance to claim the patronage of the general government.

Those which appear most necessary for the communications between the Atlantic and western rivers have already been mentioned under that head; and the improvement of the water communication between the North river and the great lakes ought to take the precedence of any other in that direction.

That road which therefore seems exclusively to claim public attention, is a great turnpike extending from Maine to Georgia,

in the general direction of the sea coast and main post road, and passing through all the principal sea ports. The general convenience and importance of such a work are too obvious to require any comments: and the expense seems to be the primary object of consideration.

The distance will be roughly estimated at 1,600 miles; and from what has been stated on the subject of roads generally, it may be inferred that the greater part of the road being intended almost exclusively for travelling, and not for transportation of heavy articles, the expense cannot exceed the rate of $ 3,000 a mile. For although some detached portions of the route, being commercial roads, must be improved as such, and at a greater expense; an equivalent reduction in other parts will result from those portions which are already improved by private companies, and from the impossibility, for want of materials for an artificial stratum, of going in some places beyond what has been described as the first or cheapest species of turnpikes. The whole expense may therefore be estimated at $ 4,800,000.

A secondary object, but of more importance to government than to individuals, would be the improvement, on a much less expensive scale, of certain portions of roads leading to some points, on the extremes of the union, intended principally for the purpose of accelerating the progress of the mail, and the prompt transmission of information of a public nature. The points contemplated, are Detroit, St. Louis in Upper Louisiana, and New Orleans. The portions of road which, traversing a wilderness, cannot be improved without the aid of the United States, are: from the Tuscarora branch of the Muskingum to Detroit; from Cincinnati, by Vincennes, to St. Louis; and from Nashville in Tennessee, or Athens in Georgia, to Natches. The expense necessary to enable the mail and even stages to proceed at the rate of 80 miles a day, may, at the rate of about $ 200 a mile, including bridges over all the small streams, be estimated for those three roads, at $ 200,000.

RECAPITULATION AND RESOURCES.

The improvements which have been respectfully suggested as most important, in order to facilitate the communication between the great geographical divisions of the United States, will now be recapitulated; and their expense compared with the resources applicable to that object.

I. From north to south, in a direction parallel to the sea coast:

		Dollars.
1. Canals opening an inland navigation for sea vessels from Massachusetts to North Carolina, being more than two thirds of the Atlantic sea coast of the United States, and across all the principal capes, cape Fear excepted	3,000,000	
2. A great turnpike road from Maine to Georgia, along the whole extent of the Atlantic sea coast,	4,800,000	
		7,800,000
II. From east to west, forming communications across the mountains between the Atlantic and western rivers:		
1. Improvement of the navigation of four great Atlantic rivers, including canals parallel to them,	1,500,000	
2. Four first rate turnpike roads from those rivers across the mountains, to the four corresponding western rivers,	2,800,000	
3. Canal around the falls of the Ohio,	300,000	
4. Improvement of roads to Detroit, St. Louis, and New Orleans,	200,000	
		4,800,000
III. In a northern and north-western direction, forming inland navigations between the Atlantic sea coast and the great lakes and the St. Laurence:		
1. Inland navigation between the North river and lake Champlain,	800,000	
2. Great inland navigation, opened the whole way by canals, from the North river to lake Ontario,	2,200,000	
3. Canal around the falls and rapids of Niagara, opening a sloop navigation from lake Ontario to the upper lakes, as far as the extremities of lake Michigan,	1,000,000	
		4,000,000
Making together,		$ 16,600,000

IV. The great geographical features of the country have been solely adhered to in pointing out those lines of communication: and these appear to embrace all the great interests of the union, and to be calculated to diffuse and encrease the national wealth in a very general way, by opening an intercourse

between the remotest extremes of the United States. Yet it must necessarily result from an adherence to that principle, that those parts of the Atlantic states through which the great western and north-west communications will be carried, must, in addition to the general advantages in which they will participate, receive from those communications greater local and immediate benefits, than the eastern, and perhaps southern states. As the expense must be defrayed from the general funds of the union, justice, and perhaps policy not less than justice, seem to require that a number of local improvements, sufficient to equalize the advantages, should also be undertaken in those states, parts of states, or districts, which are less immediately interested in those inland communications. Arithmetical precision cannot indeed be obtained in objects of that kind; nor would an apportionment of the monies applied, according to the population of each state, be either just or practicable; since roads, and particularly canals, are often of greater utility to the states which they unite, than to those through which they pass. But a sufficient number of local improvements, consisting either of roads or canals, may without any material difficulty be selected so as to do substantial justice, and give general satisfaction. Without pretending to suggest what would be the additional sum necessary for that object, it will, for the sake of round numbers, be estimated at 3,400,000

Which added to the sum estimated for general improvements, 16,600,000

Would make an aggregate of twenty millions of dollars, 20,000,000

An annual appropriation of two million of dollars, would accomplish all those great objects in 10 years, and may, without inconvenience, be supplied in time of peace, by the existing revenues and resources of the United States. This may be exemplified in several ways.

The annual appropriation on account of the principal and interest of the public debt, has, during the last six years, amounted to $ 8,000,000. After the present year, or, at farthest, after the ensuing year, the sum which, on account of the irredeemable nature of the remaining debt, may be applied to that object, cannot in any one year exceed $ 4,600,000, leaving therefore, from that source alone, an annual surplus of 3,400,000, applicable to any other object.

From the 1st January, 1801, to the 1st January, 1809, a period of eight years, the United States shall have discharged about 34,000,000 of the principal of the old debt, or, deducting

the Louisiana debt, incurred during the same period, and not yet discharged, about $ 23,000,000. They may, with equal facility, apply, in a period of 10 years, a sum of 20,000,000 to internal improvements.

The annual permanent revenue of the United States, calculated on a state of general peace, and on the most moderate estimate, was, in a report made to congress on the 6th day of December, 1806, computed for the years 1809—1815, at $ 14,000,000. The annual expenses on the peace establishment, and including the $ 4,600,000, on account of the debt, and $ 400,000 dollars for contingencies, do not exceed eight millions and a half, leaving an annual surplus of five millions and a half of dollars. To provide for the protection and defence of the country, is undoubtedly the object to which the resources of the United States must, in the first instance, be applied, and to the exclusion of all others, if the times shall require it. But it is believed, that in times of peace (and to such period only are these remarks applicable) the surplus will be amply sufficient to defray the expenses of all the preparatory measures of a permanent nature which prudence may suggest, and to pay the sum destined for internal improvements. Three millions annually applied during the same period of ten years, would arm every man in the United States, fill the public arsenals and magazines, erect every battery and fortification that could be manned, and even, if thought eligible, build a navy. That the whole surplus would be inadequate to the support of any considerable increase of the land or naval force kept in actual service in time of peace, will be readily admitted. But such a system is not contemplated: if ever adopted, the objects of this report must probably be abandoned. For, it has not heretofore been found an easy task for any government to indulge in that species of expenses, which, leaving no trace behind it, adds nothing to the real strength of the country, and at the same time to provide for either its permanent defence or improvement.

It must not be omitted, that the facility of communications constitutes, particularly in the United States, an important branch of national defence. Their extensive territory opposes a powerful obstacle to the progress of an enemy. But, on the other hand, the number of regular forces which may be raised, necessarily limited by the population, will for many years be inconsiderable when compared with that extent of territory. That defect cannot otherwise be supplied than by those great national improvements, which will afford the means of a rapid concentration of that regular force, and of a formidable body of militia, on any given point.

Amongst the resources of the union, there is one which from

its nature seems more particularly applicable to internal improvements. Exclusively of Louisiana, the general government possesses, in trust for the people of the United States, about one hundred millions of acres fit for cultivation, north of the river Ohio, and near fifty millions south of the state of Tennessee. For the disposition of those lands a plan has been adopted, calculated to enable every industrious citizen to become a freeholder, to secure indisputable titles to the purchasers, to obtain a national revenue, and above all to suppress monopoly. Its success has surpassed that of every former attempt, and exceeded the expectations of its authors. But a higher price than had usually been paid for waste lands by the first inhabitants of the frontier became an unavoidable ingredient of a system intended for general benefit, and was necessary in order to prevent the public lands being engrossed by individuals possessing greater wealth, activity, or local advantages. It is believed that nothing could be more gratifying to the purchasers, and to the inhabitants of the western states generally, or better calculated to remove popular objections, and to defeat insidious efforts, than the application of the proceeds of the sales to improvements conferring general advantages on the nation, and an immediate benefit on the purchasers and inhabitants themselves. It may be added, that the United States, considered merely as owners of the soil, are also deeply interested in the opening of those communications, which must necessarily enhance the value of their property. Thus the opening of an inland navigation from tide water to the great lakes, would immediately give to the great body of lands bordering on those lakes, as great value as if they were situated at the distance of one hundred miles by land from the sea coast. And if the proceeds of the first ten millions of acres which may be sold, were applied to such improvements, the United States would be amply repaid in the sale of the other ninety millions.

The annual appropriation of two millions of dollars drawn from the general revenues of the union, which has been suggested, could operate to its full extent only in times of peace and under prosperous circumstances. The appplication of the proceeds of the sales of the public lands, might perhaps be made permanent until it had amounted to a certain sum, and until the most important improvements had been effected. The fund created by those improvements, the expense of which has been estimated at twenty millions of dollars, would afterwards become itself a perpetual resource for further improvements. Although some of those first communications should not become immediately productive, and although the same liberal policy, which dictated the measure, would consider them less as

objects of revenue to government, than of increased wealth and general convenience to the nation, yet they would all sooner or later acquire, as productive property, their par value. Whenever that had taken place in relation to any of them, the stock might be sold to individuals or companies, and the proceeds applied to a new improvement. And by persevering in that plan, a succession of improvements would be effected until every portion of the United States should enjoy all the advantages of inland navigation and improved roads, of which it was susceptible. To effect that great object, a disbursement of twenty millions of dollars, applied with more or less rapidity according to the circumstances of the United States, would be amply sufficient.

The manner in which the public monies may be applied to such objects remains to be considered.

It is evident that the United States cannot under the constitution open any road or canal, without the consent of the state through which such road or canal must pass. In order therefore to remove every impediment to a national plan of internal improvements, an amendment to the constitution was suggested by the executive when the subject was recommended to the consideration of congress. Until this be obtained, the assent of the states being necessary for each improvement, the modifications under which that assent may be given, will necessarily controul the manner of applying the money. It may be, however, observed, that in relation to the specific improvements which have been suggested, there is hardly any which is not either already authorised by the states respectively, or so immediately beneficial to them, as to render it highly probable that no material difficulty will be experienced in that respect.

The monies may be applied in two different manners: the United States may, with the assent of the states, undertake some of the works at their sole expense; or they may subscribe a certain number of shares of the stock of companies incorporated for the purpose. Loans might also in some instances be made to such companies. The first mode would perhaps, by effectually controlling local interests, give the most proper general direction to the work. Its details would probably be executed on a more economical plan by private companies. Both modes may perhaps be blended together, so as to obtain the advantages pertaining to each. But the modifications of which the plan is susceptible must vary according to the nature of the work, and of the charters, and seem to belong to that class of details, which are not the immediate subject of consideration.

At present the only work undertaken by the United States at

their sole expense, and to which the assent of the states has been obtained, is the road from Cumberland to Brownsville. An appropriation may for that purpose be made at any time. In relation to all other works, the United States have nothing at this time in their power but to assist those already authorised; either by loans or by becoming stockholders; and the last mode appears the most eligible. The only companies incorporated for effecting some of the improvements considered in this report as of national and first-rate importance, which have applied for such assistance, are the Chesapeake and Delaware canal, the Susquehannah canal, and the Dismal swamp companies; and authority might be given to subscribe a certain number of shares to each, on condition that the plan of the work to be executed should be approved by the general government. A subscription to the Ohio canal, to the Pittsburgh road, and perhaps to some other objects not fully ascertained, is also practicable at this time.

As an important basis of the general system, an immediate authority might also be given to take the surveys and levels of the routes of the most important roads and canals which are contemplated: a work always useful, and by which the practicability and expense of the undertakings would be ascertained with much more correctness than in this report. A moderate appropriation would be sufficient for those several objects.

In the selection of the objects submitted in obedience to the order of the senate, as claiming in the first instance the aid of the general government, general principles have been adhered to, as best calculated to suppress every bias of partiality to particular objects. Yet some such bias, of which no individual is perfectly free, may, without being felt, have operated on this report. The national legislature alone, embracing every local interest and superior to every local consideration, is competent to the selection of such national objects. The materials contained in the papers herewith transmitted, and the information to be derived from surveys taken under the authority of the general government, will furnish the facts necessary for a correct decision. Two communications, by Mr. B. H. Latrobe, and by Mr. Robert Fulton, marked E and F, are in the mean while respectfully referred to, as containing much interesting practical information, connected with observations of a general nature, on the subject.

All which is respectfully submitted.

ALBERT GALLATIN,
Secretary of the Treasury.

TREASURY DEPARTMENT,
4th April, 1808.

CIRCULAR QUERIES,

By the Secretary of the Treasury, in order to obtain information.

NOTE. All the documents were obtained in answer to those queries.

Queries respecting Canals.

1. Points united by canal, and their distance by said canal.

2. Elevation of the highest ground through which canal passes; descent thence to the two extremities; and number of miles where canal is level.

3. Number, dimensions, contents, construction, and situation of locks.

4. Supply of water; whence obtained; its amount reduced to cubic feet per minute, hour, or day; its elevation above the highest point of the canal; length of feeders; situation and contents of reservoirs. What additional resources may be resorted to if the present supply should fall short of the quantity wanted?

5. Designation of such parts of the route where the natural or improved bed of rivers is used.

6. Depth and breadth of canal; burthen of vessels; breadth of towing paths.

7. Aqueducts across valleys or rivers; tunnels through hills; bridges across the canal.

8. Particular obstructions and difficulties surmounted or to be encountered.

9. Defects either in the plan or execution, and the proposed remedies.

10. Estimate of the tonnage of vessels; species, weight, and value of the articles annually conveyed by the canal; expense of carriage by canal, compared with land or river carriage before canal was made; time employed in navigating through the whole canal.

11. Capital already expended, vested, or wanted, for completing the work.

12. Expenses per mile and in the whole, and, as far as practicable, of every component part of the work in all its details.

13. Rate and gross amount of tolls; annual expenses of repairs and contingencies; annual nett income.

14. Substance of charters and acts of legislature on the subject.

Queries respecting Artificial Roads.

1. Points united and their distance.

2. Elevation of the hills over which the road passes; greatest angle of ascent which has been allowed.

3. Breadth, form, materials of the artificial road.

4. Bridges, their dimensions, materials, construction.

5. Particular obstructions and difficulties surmounted, or to be encountered.

6. Expenses per mile, and in the whole, and, as far as practicable, of every component part of the work in all its details viz. forming the bed of the road cutting hills, quarrying, transporting, breaking, laying stones or gravel, &c.

7. Capital already expended, vested, or wanted for completing the work.

8. Rate and gross amount of tolls; annual expenses of repairs and contingencies; annual nett income.

9. Substance of charters and acts of legislature on the subject.

MR. LATROBE'S COMMUNICATION.

(E.)

Sir, *Washington, March* 16, 1808.

I have the honour of your letter of the 29th of July, 1807, transmitting to me a copy of the resolution of the senate of the United States, of the 2d of March, 1807, together with a list of queries respecting artificial navigations, and canals, to which you request my answer and opinion.

In order to give you all the information on this subject which you wish, and I possess, and in the most condensed form, I ask your permission to depart from the order which your questions demand, and after treating the subject generally, to enter upon an account of those works, in detail, with which my personal experience has made me more particularly acquainted.

The most striking circumstance in a view of the Atlantic states of the union, in relation to the improvement of their internal navigation, is the uniformity of the natural arrangement of the rivers and mountains, and that this arrangement differs from that of every other country in which artificial navigation has been attempted.

In other countries the general course of all the rivers is between the mountains, and along the valleys; in this, the general course of all the rivers is across that of the mountains and of the valleys. Our mountains, from their termination to the south-west in Georgia, hold a course to the east of north; the general direction of our principal rivers into the east of south, and on inspection of the map, it will be observed, that as the direction of the mountains to the N. E. of the Delaware, becomes more easterly, so do our rivers acquire a more southern course, always crossing the mountains at nearly the same angle.

Our rivers may be divided into three classes;—

Primary rivers, that discharge their water immediately into the ocean. Of these the relative magnitude might be rated according to the surface they respectively drain: *Secondary rivers*, or such as fall into the first, above their tide water; and *creeks*, properly so called, which rise below the falls of the first rivers, or rather collect the water of the level land below the falls, and discharge it into the tide waters.

Of our *primary rivers*, the Susquehannah is the principal. By a great degree of geographical injustice, this mighty river loses its name at the foot of its falls, and is called the Chesapeake bay, from thence to the ocean; although its width compared with its length, forbids the term of bay to be applied to what is called the Chesapeake. All of these rivers cross in the greatest part of their course the direction of the mountains. Of the *secondary rivers*, many of which are of great importance and magnitude, some and perhaps the greatest number hold a course parallel to the mountains, as the Shenandoe, the Conogocheague, the Lehigh, &c. draining the valleys, and receiving the torrents of the mountains.

The third order of our water courses rise either in the lowest ridge of our hills, which I will call the granite ridge, and over which all our principal rivers, from Georgia to the Hudson, fall, and then run through the alluvial country which lies between the granite ridge and the ocean;—as, for instance, the Notoway, the Blackwater, the Meherrin, the Annacosta (eastern branch of Potomac), the Elk river, and the very important creek in the state of Delaware, the Christiana;—or they are merely drains of the alluvial country, assuming an appearance of importance below the head of the tide, above which they are mere torrents, almost dry in the autumn. Such streams are all the rivers of the eastern shore of the Chesapeake, and of the Lower part of the Jerseys,

and innumerable water courses, forming large estuaries in the southern states.

Our great north-western lakes from their first source to the eastern end of lake Erie, may be considered as part of the great river St. Laurence, following the direction of the rest of our rivers, until opposed by the northern extremity of the Allegheny. From thence its course follows the valley west of the Allegheny, through lake Ontario to the ocean, receiving the waters of the northern extremity of the mountain in its course.

This general view of the construction of our country was necessary in order to undertsand the general principles on which our artificial navigation can be so conducted, as to be useful, or even practicable; and to explain why connections of waters which on the map appear advantageous and feasible, would be useless, and perhaps impracticable, by any effort of art.

Two principal objects will dictate all the exertions towards the improvement of our internal navigation, which can for many years to come be attempted: 1. To carry our produce by water to the nearest port for its exportation, and the importation of foreign articles: 2. To exchange by internal commerce the articles reciprocally deficient on lines parallel to the sea coast. Canals, the use of which arises from manufacturing activity, will not probably be soon required.

The first object,—as all our principal rivers run seaward, and generally by the shortest course,—must be attained by the natural or improved navigation of the rivers themselves or by canals cut parallel to them: the second may often require a navigation parallel to the valleys, so as to communicate one principal river with another.

The former attempt at improved navigation has already been made on many of our principal rivers,—the latter has been seldomer undertaken; and only once above the falls of both primary rivers, in the canal intended to join the Susquehannah and Schuylkill, and the Schuylkill and Delaware rivers above Philadelphia.

The general construction of our country opposes to artificial navigation, in either of these directions, difficulties, which in no part of the world exist in so uniform, and certain a degree. Canals, parallel to our rivers, have three formidable obstacles to encounter and overcome.

1. The rapid descent of the ravine cut through the mountains by the river itself, along which the canal must be car-

ried; or if the ravine be quitted, difficulties on the high levels, which, the further you go from the river, are always intersected by the more numerous ravines; and embarrassed by the difficulty of returning to the ravine of the river.

2. The invariably rocky nature of the ground, which is uniformly of granite in all its varieties; and has numerous fissures which carry off the water, and require lining.

3. The difficulty of keeping off the land water and of crossing the latteral branches and torrents of the river.

On the other hand, canals parallel to our mountains must necessarily cross the ridge or spur of the mountain which divides the waters of two primary rivers. On this ridge above the falls, the water requisite to supply the canal, is always scanty, often there is none: and though a tunnel or a stream engine, or in the last resort a rail road, are certain means of obviating the difficulty, they are expensive, inconvenient and imperfect. Below the granite ridge, the difficulty is less. There may always be found a supply of water from the ridge itself; and the feeders, though carried through rocky and expensive ground, are themselves useful as small canals, as far as they extend; and below the ridge the soil is easily cut and embanked.

Having so frequently mentioned the granite ridge, I will here trace its extent as far as my knowledge of our country enables me to do it.

The granite ridge forms the shore of the north side of Long island opposite to the island of New York. All the south of the island is alluvial, and is the first margin of alluvial soil below the granite ridge. This margin of alluvial soil beginning at Long island, widens as it extends to the south-west, until in Georgia it becomes more than 200 miles in width.

Staten island and Bergen point, are two spurs of this same ridge, which continues nearly in the line of the post road to Trenton, where the river Delaware falls over it, having worn down the rocks more deeply there than many other of our rivers. The Delaware runs in its general direction for 60 miles under the ridge as far as New Castle, leaving it only for a short distance at particular bends of the river. At Philadelphia the ridge crosses the peninsula to Gray's ferry on Schuylkill. The softer granite of Schuylkill has been worn down so that the falls are 4 miles from its lower edge. From Philadelphia the ridge runs with the post road to Havre-de-Grace, where it is visible on both shores, although the tide extends 6 miles above, to the foot of the falls.

The Susquehannah, by the name of the Chesapeake, may be considered as running under the foot of the granite ridge almost as far as Baltimore, which city is built upon the foot of the ridge. At the river Patuxent, on the post road, the ridge appears again, but is lost under the incumbent soil, and is not again visible until it appears at Georgetown. The harder granite of the Potomac has resisted the force of the water more than the granite further to the north-east, and the tide reaches only 3 miles above its outrunnings. From the Potomac, the falls of Rappahannoc at Fredericksburgh, of James river at Richmond, Appomatox at Petersburg, Roanoke at Halifax, beyond which point my personal observation does not extend, point out the course of this ridge in a line nearly parallel to the Blue ridge, diverging to the eastward as it extends southward.

Of the improvement of the natural navigation of our rivers leading to the sea, and of canals cut parallel to them.

The difficulties of the natural navigation of our rivers are: In spring,—the danger of wreck in the wild water of our rapids; in autumn,—obstructions created by rocky shoals; and in most of them, rapids and falls impracticable at all times. The least expensive and most obvious means of removing the former are the blowing of the most prominent rocks, so as to straighten the channel, and procure a passage at low water. This has in almost all our rivers been attempted on a greater or less scale, and with various degrees of success. When injudiciously performed, and in rivers of rapid descent, and liable to great variation in the quantity of their water; more injury has been done than advantage obtained. Many of our worst obstructions act as natural dams, which holding up the water create a large extent of excellent navigation above them. Of this the James river above Westham, and the Susquehannah above Chickisalunga and Hunter's falls are instances in point. Such obstructions when removed, let down the water rapidly from above, without supplying deeper navigation below.

In a river of such magnitude as the Susquehannah, indeed, no gap or sluice artificially cut, can materially affect the rapidity of the stream, but in lesser rivers, great care is required, not only to prevent lowering the water above, but to avoid giving a new direction to the current, more mischievous in its effects than that which has been changed. But with whatever judgment the natural navigation of a ri-

ver perplexed by rapids and shoals may be conducted, and however its descent may be thereby facilitated, its ascent cannot possibly be rendered more easy, in the same degree. Thus, for instance, although by the moneys expended by the state of Pennsylvania and the Susquehannah canal company, on the natural navigation of the Susquehannah below Wright's ferry, it has been rendered much less dangerous to run down the distance of 41 miles, almost the whole of which is a tremendous rapid, from Columbia to the tide, and thereby to carry lumber, iron, and agricultural produce to Havre-de-Grace, and thence to Baltimore,—yet so difficult is the upstream navigation by the same route, even with the assistance of the Susquehannah canal, that the returns in imported articles have been generally purchased in Philadelphia and conveyed to Columbia or Middletown, above the rapids, by the Lancaster turnpike, thence to be boated to the country watered by the upper branches of the Susquehannah. And although the Philadelphia market has hitherto offered more advantages to the buyers of imported goods than that of Baltimore, yet the expense of transporting them 72 miles by land to Columbia, would, if there were a good navigation from Havre-de-Grace upwards, destroy this advantage.

The difficulty of carrying canals parallel to our great rivers, the scarcity of engineers possessing knowledge and integrity, the want of capital, and above all the erroneous dread of bold measures, and the fear of uselessly expending money among us in works hitherto unknown among us, has deterred those interested in improving our navigation, from deserting the beds of our rivers, while it was practicable to keep them. They have therefore had recourse to canals only where navigation was otherwise impossible; where obstructed by rocks, or broken by a cascade.

There cannot however be a reasonable doubt that if in England, where, compared with the United States, the quantity of water in the rivers varies little between the driest and the wettest period of the year, a canal running parallel to a river, furnishes a much more certain and safe and equal and cheap navigation than the river itself—it is infinitely more the case here. Unfortunately those of our canals, which have been cut to pass the rapids and falls of our rivers, partake in a great measure of the inconveniences of the rivers themselves; some wanting water when the river is low, some incapable of being entered excepting at a particular height of the water in the river, some subject to constant accumu-

lation of bars, and all of those with which I am acquainted, much less useful than the money expended on them ought to have made them.

Those canals, of which I now particularly speak, are, the James river canal, the Potomac canal, the Conewago, and Susquehannah canals. Of the canals north of the Delaware and south of Virginia, I have not sufficient knowledge, nor can I speak of the Appomattox canal. It is, I believe, not liable to the same strictures in all points, which I shall make upon the others, but though I am well acquainted with the ground I have not seen the manner in which the work has been executed.

One great and fatal error has been interwoven into the scheme of the other canals, excepting only that of the Potomac: They have been dug as much with a view to the erection of mills, as to the purposes of navigation. To fit them for mill races, their descent is rapid, and their current strong. They are liable, of course, to the variation of the quantity of water in the river; they bring down with their current, alluvium of the river; bars are formed in them, as well by this alluvium, as by the land wash; and their banks, where they are not of rock, or walled, are liable to perpetual wear by the current. The canal is besides, itself an inconvenient rapid to those who would ascend it.

Besides these inconveniencies, the contracts binding the company to furnish to the millers the water, when it rises above a certain gage-selle, for an annual rent, or on other fixed and permanent terms, tie the canal company to the original construction of the work, and forbid future improvement. For instance, if a lock were found to be useful above the highest mill, it could not be erected, because it would rob the mills below of their stipulated water; the inclination of the canal cannot be lessened, because it would have the same effect. In the James river canal, more than in any other which I have seen, this error, though now generally considered as a very great advantage will at some future period be discovered and deplored. The Potomac canal, more especially that of the Little falls, has the same defect of a too rapid descent, although the object of a mill race is placed by their charter out of view. But its principal defect is of another kind, to which that of James river is also, but in a less degree, subject. It receives the wash of all the hills and ravines of the north bank, which ought to be discharged through culverts, or carried over bridges: and that legislative

impartiality which has required the canal to enter the river at the very head of the tide, in order that Virginia may have an equal chance of becoming the depot of its commerce with Maryland, has very much injured its utility to the country at large.

In a still greater degree than the Potomac canal, the Susquehannah canal, beginning at the Maryland and Pennsylvania line, and ending at the head of the tide, has the defect, not only of receiving the landwash of the hills and ravines, but also two considerable rivers, the Conewingo and Octorara, partaking thus of all the danger arising from their inundations, and receiving their alluvium. This canal is also applied to the purposes of a mill race. Other inconveniences attend it, which arise from the most unfriendly nature of the river, and the local feeling of the state legislatures of Pennsylvania and Maryland, at the period of the incorporation of the company.

The Conewago canal, about 50 miles higher up the Susquehannah, is also a mill race, and is the property of an individual. It is of difficult entrance, which is to be regretted, as it ought to be the means of passing a short but very dangerous fall of the river, which interrupts a long extent of very good navigation.

Having thus pointed out the general and common defects of these canals, to which I may add the general want of proper slopes to their banks, I will now enter upon the very thankless task of giving an honest opinion respecting them in detail, viewing only the *public interests*, and perfectly conscious of the bearing of what I shall say, upon private feelings. These feelings, however, are extremely short-sighted; for nothing could be more advantageous to the individuals most interested, than those measures which would most benefit the public.

The James river and Appomattox canals stop short of tide water. The most important of these canals is that of James river. Upon the coal mines of James river our Atlantic sea ports will soon become dependent for their chief supply of fuel. That dependence exists already in respect to the fuel required for a variety of manufactures, and even now the smiths within ten miles of our sea ports, require, in order to carry on advantageous business, a supply of Virginian coal. There are three means (and I think only three)—by which the Virginian coal can be brought to the tide: 1. By a small canal and rail roads, immediately from the mines south of the river to the shipping tide water at Ampthill or its neighbour-

hood, along the valley of Falls creek: distance, I believe, 20 miles. This is a route easily practicable and at a moderate expense, for Falls creek rises in the coal mines themselves. 2. By the turnpike road to Manchester opposite Richmond. This road has been sometime completed, and is of the highest utility. 3. By James river to the head of the falls, and thence by the canal to Richmond. This is for two-thirds of the coal country, the best and most obvious route. For from all the mines the coal may easily be brought to the river on rail roads, and thence boated, independently of the cheaper conveyance which Tuckahoe creek might be made to yield to a great extent of coal land now little worked. But of what adequate use is this navigation in boats carrying at an average 200 bushels of coal only, when, if the canal were well constructed, 1000 bushels might be as easily and cheaply conveyed; and when, on their arrival in Richmond, they must be unloaded, again loaded into carts and carried down by a bad road to the tide at Rockets, to be shipped? The Manchester turnpike, with all its expense of waggons, horses, and drivers, and the consequent waste of *labour*, *capital*, *food*, and *forage*, is a better, and I am told, as cheap a mode of conveyance.

The means by which the canal itself may be made much more useful, I will not consume your time and patience in detailing; what is most important, taking the whole subject into view, is to connect the canal, such as it is, with the tide.

In the year 1796, Mr. Weston, then engineer to the western navigation companies of the state of New York, was called to Richmond to give his advice and opinion on this subject. It amounted to this: to connect the basin with the foot of the falls, by a succession of ten or eleven locks in one tier, carrying the race of Ross's mill upon an aqueduct across the canal at the foot of the locks. With all deference to his talents, I cannot help remarking, that of all expensive projects of which I ever heard, this would have been one of the most useless. For independently of the excessive inconvenience and detention which such a tier of locks at the most busy part of a navigation would occasion, the boats would arrive at their foot, in a very considerable rapid, now impracticable, and which could only be made practicable by blowing up the rocky bed of the river. When arrived there, two miles of tide water must be encountered; to navigate which, these boats are wholly unfit. I cannot help thinking that the present mode of conveying the coal to Rockets is

not much less eligible. I refrain from stating many other objections, which are professional, and which I believe were, as well as those already mentioned, as evident to Mr. Weston as to myself; but objections of another nature, more powerful than mere physical difficulties, opposed every project excepting that which he proposed.

In order to connect the basin of the James river canal with the tide, a very simple means is offered by the nature of ground. To do this it will be necessary to form a capicious basin at Rockets, communicating with the tide by one or more locks. To carry a canal from thence along the level bank of James river to Shockoe creek. A cheap aqueduct of one arch of 30 feet span will carry the work across the creek into the back street. The canal will then go up the back street, mounting by successive locks, not more than two in each tier, into the basin. The canal from Rockets to the basin on Shockoe hill, should be of 9 feet draft of water, and the locks 100 feet long and 18 feet wide. This canal would of course bring vessels which navigate our coasts and bays and run out to the West India islands, into the basin on Shockoe hill.

The legislature of the state of Virginia (for the commonwealth is deeply interested in the stock), has from time to time expressed great anxiety on the subject of completing this canal. But the dread of unforeseen difficulties and risks in carrying the work below the basin, and the value and productiveness of the stock in its present state, have hitherto, overbalanced this anxiety. But considering Richmond as the principal source of fuel to the cities on our sea coast, at least until the mines of cape Breton shall supply us, I feel a national sentiment in deeply regretting the very fatal policy which maintains and supports the error, and the mutilation of this most important work. I will not at the same time deny, that when it is considered that those who projected and executed the canal were men of no acquaintance either with general science, or with this particular branch of art, and knew nothing of canals but from books or hearsay, they have already done wonders. They deserve the thanks of their state, and of the union. But the work should not stop where they have left it. Nature, has perhaps, done more for Richmond than for any scite where a city has been planted. For 10 miles above the city on both sides, and upon several islands of the stream, there are innumerable mill seats, supplied by one of the noblest rivers in

the union. Immediately above the head of the falls lies an inexhaustible treasure of coal. Every art and manufacture to which human ingenuity can employ fire and water, may be here carried on with the least expense. From above, an easy and wide spreading navigation, collects on this spot all the raw materials which our climate can produce; below, a river capable of bearing sea vessels sufficient for every trade but that across the ocean, is ready for the exportation of its merchandise. The town itself is placed on a healthy and commanding ground. But to improve these advantages to the utmost extent to which our population is equal, nothing would so much contribute as the completion of the Richmond canal.

I have dwelt specially on the coal trade to which this canal is subservient, as of first rate national importance. It is of no less importance to the state of Virginia as a means of conveyance of agricultural produce. As you will receive an answer in detail to your queries relative to the amount of all the sorts of produce carried upon it, and of its actual trade, I will not add any thing further to what I have already said on the subject, but to observe,—that at some distant period, the Chickahominy, a river rising in the coal country, and discharging itself into James river miles below Richmond, where ships may take in their cargoes, offers a means of carrying down the coal destined for distant exportation.

A canal has often been projected for passing the falls of the Rappahannoc at Fredericksburg. There is no reasonable hope, however, that this work can soon be executed. The ravine of the river at the falls on either side is so abrupt, rocky, and irregular that great expense must be incurred to effect it,—an expense not likely to be repaid by its trade for many years.

A canal to connect the Rappahannoc with the Potomac, a few miles below Fredericksburg, across the northern neck, has also been spoken of. It would be a highly useful work, but would require a tunnel of 2 or 3 miles. I believe it could be executed at an expense not greater than the tolls would remunerate. Such a canal, however does not belong to the class of which I am now speaking.

The Potomac canal consists of two parts,—one to pass the Great falls 14 miles above Georgetown,—the other to pass the Little falls. The errors committed in the construction of the work have been enumerated above. The trade of this canal, especially during the year 1807, has been so great

that there appears every prospect of its becoming a productive work,—*in those years* in which there is a considerable and equal quantity of water in the river. But upon this circumstance it must always depend. The information respecting it, which can be obtained from the company, on the spot, renders it unnecessary for me to say more upon it.

No attempt at the improvement of the navigation of any of the rivers of Maryland between the Susquehannah and the Potomac, has been made, nor is there in the prospects of advantage to be derived from the navigation of the two Patuxents, the Patapsco, or any of the lesser rivers falling into the Chesapeake, any thing which could at present tempt capital into such an undertaking.

But the Susquehannah itself has been for many years the object of almost all the attention directed in the states of Maryland and Pennsylvania to the improvement of our internal navigation. About six miles above Havre-de-Grace, this mighty river meets the tide. The place is now known by the name of Smith's ferry. The map of the river from thence up to Wright's ferry (Columbia) in Pennsylvania, which I made in the year 1801, when directing the works carried on for the improvement of the natural bed of the river, and which by favour of the governor of Pennsylvania, I am able to exhibit with this memoir, will explain the nature of this part of the river very minutely, being drawn to a very large scale. The whole of its extent is one tremendous rapid, which in fact continues to the N. W side of the Chickalunga hills, 3 miles above Columbia. The rapid is not every where of equal velocity, or equally dangerous. Wherever the river crosses a valley of limestone or slate, the rocks are worn down into a smoother and wider bed: but when it has to cross a ridge of granite, its course is immediately broken by irregular masses and range of rocks; its bed is narrow and inclosed by precipices, and its torrent furious and winding.

The Chickisalunga falls can be descended without danger, and no attempt to open them has been thought necessary. The ridge of granite hills through which they break, bounds on the N. W. the beautiful limestone valley of Columbia. Across this valley the river runs rapidly, but smoothly. Another narrow ridge of granite hills crosses the river immediately below Columbia, over which the river falls rapidly, and then enters the wider limestone valley known by the name of the Jochara valley. The river spreads here to the width

of three miles, its stream is gentle though rapid, and it abounds in beautiful and fertile islands. It then suddenly contracts and is received into the narrow ravine which it has *sawed* down in the granite hill called Turkey hill. From its first entrance into the Turkey hill, to the tide, there is no part that deserves the name of a sheet of smooth water. When the river is full, the whole ravine about half a mile in width contains only one furious torrent, in which few rocks comparatively are to be seen above the water; but the danger is not the less, and very skilful pilots, and many stout hands are required to carry a boat or an ark safely down. But in the autumn, and in a dry season, the river itself can for six miles scarcely be seen, and its bed appears a barren and dry waste of irregular rocks, among which the loud roaring of water is only *heard:* for, from the Turkey hill to near the mouth of Conestogo, the whole river is discharged through a channel generally about 60 feet wide, in the greatest part of which the depth and the rapidity of the torrent is such, that it has not been fathomed. About a mile below the mouth of Conestogo, a narrow limestone valley touches the river on the N. E. side, but on the west shore not a trace of limestone is to be seen. Four miles below Burkhalter's ferry, the river arrives at the high range of granite hills, abounding in copper, in which the gap mine is situated, and at a place called M'Calls ferry, it narrows to the width of 16 perches. Here I attempted to find bottom with a line of 180 feet, but failed, notwithstanding every precaution taken to procure a perpendicular descent of the weight attached to it. Through this pass the water is rapid, but smooth and safe. The river rises here rapidly and very suddenly after the fall of rain above; and it will never be possible to erect a safe bridge at this place, so often mentioned as the most practicable. The obstructions to navigation by three rapids below M'Call's, is not so considerable as to endanger the arks and boats that descend, until they arrive at Baldfriar falls, below Peachbottom, and about 8 miles above the tide. From M'Call's to the slate valley of Peachbottom, the river is filled with islands called the Bear islands. Across the valley of Peachbottom, and above the Baldfriar falls, the river is wide and safe. The best natural navigation, and that always pursued by boats descending by the natural bed of the river, is on the west side, from the foot of the Bear islands. Above that point to Columbia, the best passage is on the east side. The most dangerous falls below Peachbottom were Amos's

and Hector's falls, on which many wrecks annually occurred until the late improvements of the navigation were made.

From this description it may easily be imagined that if the descent of the river with boats loaded with produce was dangerous and difficult, the ascent was still more so. The natural obstructions were besides increased by fish-dams in every part of the river, and the rival interests of the states of Pennsylvania and Maryland prevented, for many years, every attempt at artificial improvement of the bed of the river. In the mean time each state took measures to go as far towards rendering the navigation of this river useful to their respective interests, as their means and limits would permit; and a company was incorporated in Maryland to make a canal from the Maryland line to the tide, to pass all obstructions of the river of the eight lowest miles; and in Pennsylvania two companies were also incorporated, the one to connect the Susquehannah with the Schuylkill, by a navigation taken out above all the dangerous falls, the other to connect the Schuylkill with the Delaware. The objects of none of these companies were advantageously accomplished. The Susquehannah canal company have, however, completed a navigable canal, liable to the objections which I have above noticed. The Pennsylvania companies have made considerable progress in the works, under the direction of a very able engineer, Mr. Weston, but have not completed either canal so as to render them useful or productive.

At last, in the year 1801, the states of Maryland and Delaware having passed laws incorporating a company for the purpose of cutting a canal between the Chesapeake and Delaware, a former law of Pennsylvania, appropriating 10,000 dollars to the removal of obstructions in the Susquehannah, went into effect; and the late colonel Fred. Antes, than whom no man was better fitted to accomplish its object, was charged with its execution. But he died on his arrival at the river, and the direction devolved on me. The inclosed report to the legislature on this subject, details the extent of the work executed, and the principles on which I proceeded in the attempt to make a practicable and safe navigation both up and down the river. I will here only repeat that all my exertions were bent to force through all obstructions, a channel clear of rocks, of 40 feet wide, close to the eastern shore, never leaving any rock upon which a vessel could be wrecked between the channel and the shore,—so that in the most violent freshes a boat should always be safe, by keeping close

in shore. Rocks of immense magnitude were therefore blown away, in preference to the following a crooked channel more cheaply made, but more difficult and dangerous, and varying in safety and practicability, according to the degree of the rise of the river. There is however one part of the navigation in which the bed of the river must forever be pursued, namely, from the Indian steps above M'Call's to below the gap at M'Call's:—a part of the navigation, which, if art can conquer it, must be undertaken in a state of the country infinitely more abounding in wealth and population than at present.

Of the Chesapeake and Delaware Canal.

Having now answered that part of your inquiry which relates to the general subject of canals, I come to the particular merits of the Chesapeake and Delaware canal, of which you have requested me to give special information; together with my opinion on its location, unbiassed by any interests but those of the public.

The very able report of the committee to whom your letter to the president and directors of the company was referred, and who did me the honour to confer with me on the subject, conveys to you all the information which can be given of the history of the company, their pecuniary resources and difficulties, the motives that directed their choice in the location of the work, and the system under which it was begun and pursued. Every thing also that can be collected by the most indefatigable inquiry as to the probable proceeds of the canal, and the advantages it offers to those who have adventured in it, is also detailed; and there remains to me only the task of giving you that professional information, which as engineer to the company, I have obtained; and to explain to you the means of executing it, as far as they are determined by the nature of the soil and the levels of the country.

The alluvial land lying below that part of the granite ridge which crosses the peninsula from the ferry opposite to Havre-de-Grace, reaching the shores of the Delaware at Wilmington, may be considered as a regular inclined plane, sloping gradually to the south-east at the rate of about 6 inches in a mile. Immediately below the granite ridge,—that is, along the foot of Gray's hill, Iron hill, and along the south bank of Christiana creek, which runs parallel to and close under, the ridge,—its highest inequalities seldom ex-

ceed 80 feet, nor does the common surface fall below 70 feet above the tide of the Chesapeake at high water. This plane extends from the granite ridge to the ocean,—and the only considerable depressions to be found in it, are the beds of the land drains, which are worn down into it and produce the appearance of valleys; but there are no insulated hills whatever, and the valleys are merely depressions of the ground below the plane. Hence it is evident, that by going round the heads of the water courses, a line of canal may be found across the peninsula between any two points on the opposite bays, in which the variation of level on the summit will be very small, and that by making the bank out of the spoils of the cut, a canal may be made at the smallest possible expense of digging and removing earth, and at no expense whatever for works of masonry, excepting at each end, where the descent requires the construction of locks. For by following the ridge dividing the waters which drain into opposite creeks, the necessity of culverts and aqueducts may be wholly avoided. The soil is also of the kind most easily cut, being generally of a sandy loam on and near the surface, and beds of good clay are found in abundance for all purposes of puddling.

The advantage of so level and soft a surface for the cut is counterbalanced by the total absence of water to supply it. This circumstance is very important in determining the choice of the line of the canal, among so many that are equally practicable; for as all its water must be brought from the higher grounds upon the ridge, its location ought to be as near to the ridge as possible, in order that the feeder being short, the leakage and evaporation of a long feeder may be avoided. The location of the two ends of the canal does not, however, entirely depend upon its general course along the summit; and a great variety of terminations have been proposed, as equally eligible, both on the Chesapeake and the Delaware side. The former, after long and careful examination, has been decided in favour of Welsh point, where there has, within the memory of man, been no diminution in the depth of the water, which is below the deposit of alluvium from Elk creek, and where the water is so wide and so deep, as to furnish a very capacious basin for many years to come, for the inconsiderable land wash of Back creek and the small drains in the neighbourhood. But on the Delaware side much difference of opinion has prevailed. The summit level of the canal in every case must reach the prin-

cipal road leading from Christiana bridge down the peninsula, near a tavern called the Bear. This place is only two miles distant from Hamburg or Red hook, on the bay of Newcastle, and a cheap and short cut might be made to either of these points especially to Red hook, did not two considerations forbid it,—the broad and wild water of the bay, and its shallowness at a great distance from the shore, there being only four feet six inches at low water. Newcastle is the next eligible point. Newcastle is situated on a prominent point, which is swept both by the flood and the ebb tide. There will therefore be always deep water at the *outer* wharves and piers at that place, and less than 21 feet has not been found on the outside of any of the piers lately erected; or formerly, and even at present, at the wharves, excepting only where the eddy occasioned by the piers has accumulated soft banks of mud.

There could not be a moment's hesitation in fixing the termination of the canal at Newcastle, unless the following reasons should be thought to outweigh the advantages of the best water in the Delaware, and the shortest navigation across the peninsula, which this point offers. It is in the first place feared, that in time of war when the canal would be invaluable as a means of conveyance of military stores and bodies of men, an enemy's ship of war might destroy the works at Newcastle in a sudden incursion, and return to sea, before the mischief could be prevented. It is further urged, that the mouth of the canal on the river below the tide would be liable to be filled up, in a very short time, as are all places on the Delaware where there is an eddy.—And it is also alledged, that Newcastle is situated so far below Philadelphia (33 miles), that unless with a favourable wind, dull sailing vessels cannot reach Newcastle in one tide, when they might reach the mouth of Christiana, 4 miles higher up the river, and go up the creek with the flood.

The first argument, appears to me to be deserving of consideration in a national point of view, and a small fort would be necessary to defend the mouth of the works against an enemy who should attempt to land, to blow them up. But they could not be injured even by shells beyond the destruction of the gates, which a few hours could put again into repair. To obviate the second objection it would be necessary to place the tide lock as far out as possible, and to carry out and wharf the side of the canal below the lock as far into the river, as the most projected wharf. The line of the

wharves is now limited to 600 feet beyond the lowest street, called Water street, and unless further protruded into the river by a law of the state, this distance presents no formidable difficulty to the work, and places the utmost extension of the wharves, beyond the present time. The third objection is not without foundation. But the narrow and crooked navigation of Christiana creek, presents infinitely more causes of delay than the distance of four miles in the bold navigation of the Delaware. There is however in these objections enough to render it an object of infinite importance both to the nation and to the company, to avail themselves of both the eastern terminations of the canal, and to make a cut also from the Bear to the Christiana creek, about three miles above Wilmington, on a line not altogether so favourable, nor so short as that to Newcastle, but presenting no difficulties of importance whatsoever. From the point (Mendenhall's) at which the termination is proposed, 10 feet may be carried out to the river Delaware. The objections to this termination are; the tedious and very crooked navigation of the creek for seven miles to the Delaware. The drawbridge at Wilmington, which must be passed; but more than any other, the opposition of the tides of Delaware and Christiana creek. For if a boat comes into the canal at Welsh point at high water, and passes across in six hours, she will find half flood in Christiana, and must wait the ebb to go down. On her arrival in the Delaware in two and a half or three hours, she will have again to wait three or four hours for the flood to proceed to Philadelphia, or up the Brandywine to the celebrated mills, the interests of which are well worthy of attention. Whereas a vessel arriving at Newcastle and finding the flood tide running, which will always happen if she comes to Welsh point with a flood tide, may at once proceed up the Delaware, or up the Brandywine, or Christiana creek, without delay. It must also be mentioned that without a favourable tide, it is difficult to work down the Christiana creek against the wind, which is always unfavourable in some reach or other of its crooked navigation, when on the contrary, there is ample room in the Delaware to use all advantages of wind and tide.

On the other hand, it must be urged in favour of Christiana creek, that there is navigable water for boats drawing eight feet above the proposed termination of the canal, as far as Christiana bridge, and that the navigation may be pushed

still higher;—that the little town of Newport is now the depot of the produce of a very extensive and fruitful country extending into Lancaster county, and is 20 miles nearer to Lancaster than Philadelphia, and that to connect so important a field of productive business immediately with the canal, it may be worth while to incur an increased expense and some inconvenience and delay in the mere *thoroughfare* navigation: and it may be added, that the large fixed capital of the town of Wilmington, far exceeding that of Newcastle, demands from the good policy, as well as the good will of the company or the nation, some consideration.

Well aware of the thankless task of giving a decisive and honest opinion on either side, I content myself with furnishing the materials of determination to you, and proceed to describe the nature and principles of the work actually executed in the feeder, and proposed for the canal.

Between the waters of the Chesapeake and the Delaware there are three streams which, rising in the high land above the canal, may be brought down to it as feeders, the Christiana creek, the Whiteclay creek, and the Elk itself.

The Elk and the Whiteclay are nearly equal in the regular quantity of water they supply, the Christiana is both smaller and more irregular. The Elk descends in a very crooked and rapid stream, 84 feet in four miles from Elk forge to the tide near Elkton, and unites with the tide water of the Chesapeake at Turkey point. The ridge that separates its waters from those of the Delaware terminates in a high insulated hill, called Gray's hill, which is united to the high land by a low and narrow ridge, crossing the post road on the boundary line of Delaware and Maryland. The Christiana creek is the first water falling from the high land into the Delaware. It collects all the waters that fall round the high insulated hill called Iron hill, at the N. E. foot of which it turns to the N. E. and, running in that direction under the foot of the granite ridge into the Delaware, receives the Whiteclay, Redclay and Brandywine in its course, and also numerous land drains from the level land to the South East. Of these three streams it has been ascertained that they may all be brought to the canal, but the Elk with the least expense and the shortest cut. The valleys in which they all run having been worn in deep and rocky land, and branching into deep ravines, the beds of rapid rivulets, offer great difficulties to the work necessary to divert their course.

In the Elk feeder, the canal is cut in the rock for about half a mile; embankments are made across several valleys, but the principal difficulty and expense consisted in cutting through a tongue of high land called Bellhill, through which the digging is 30 feet for near half a mile, and again through the dividing ridge, to the depth of 25 feet for above half that distance; these two difficulties have been conquered. Another smaller hill remains to be cut through, but it may be avoided by a circuitous cut, much less expensive, but also much less eligible. On the Delaware side of the ridge, the feeder is cut through a swampy flat of more than a mile in length, while the descent is only six inches. The general elevation of this flat is 86 feet above the tide, and as the head of the feeder at Elk forge is only 84 feet, it could have little descent, and falls only two inches in a mile. It has on this account been made a spacious canal of 3 feet six inches water, 22 feet 6 inches on the surface, and 12 feet at the bottom, affording as far as it goes a good and valuable inland navigation. The feeder is 6 miles in length; at the end of 5 miles is a lock for the passage of boats, and a side cut to communicate with the reservoir. A contiguous valley offers the means of making a reservoir, of more than a hundred acres. It has been proposed to embank 30 acres for this purpose. The lock is of 10 feet lift. The reservoir will be level with the upper feeder, of course 10 feet above the level of the canal, and under such a head will give the canal a plenteous and rapid supply as it is wanted. Below the lock the feeder is five feet deep, and 27 feet on the surface of the water: it will join the canal about a mile west of Aikentown. In the construction of the feeder permanence has been a very principal consideration. All the culverts are of solid masonry; no land water can run into the cut; the banks are sloped as 2 to 3; embankments are well puddled, and the piers of the bridges are of hewn stone.

From the description which I have given of the soil of the peninsula, it is evident that the amount of digging constitutes the chief expense of the canal. To lessen this amount and to shorten the canal, it is proposed to quit the level in three places, and to cross three land drains that lead into Christiana creek, one at Aikentown, and two between Aikentown and the Bear. Small aqueducts and shore embankments only are necessary to effect this. If the canal should terminate at Newcastle, a narrow marsh must also be crossed, —if at Christiana, deeper cutting must be encountered.

But neither of these difficulties increase the expense of the canal more than $ 7500 each, beyond that of the same length of the general cut.

On all other points the report of the committee furnishes ample information; and I will only add,—that neither in Europe, nor in our own country do I know a line of inland navigation, which by so short a distance, and at so easy an expense, unites such extensive and productive ranges of commercial intercourse.

With the highest respect, I am yours,

(Signed) B. H. LATROBE.

Albert Gallatin, Esq., Secretary of the Treasury.

April 1, 1808.

POSTSCRIPT.

In the questions proposed to me by you, the subject of artificial roads was comprehended. But being informed by you that the canal companies of Pennsylvania and Maryland, had transmitted to you ample accounts of their undertakings and as in their works, experience has taught a system and mode of execution of the most perfect kind; I have refrained from adding any thing to the imformation thus acquired.

It has however occurred to me, that a few remarks upon rail roads might not be unacceptable to you, especially as the public attention has been often called to this sort of improvement, and the public mind filled with very imperfect conceptions of its utility.

Rail roads may be constructed of iron or of timber. The most durable (but also the most expensive) rail roads, consist of cast iron *rails* let down on stone foundations; such roads will last for ages. Cast iron rails secured on beds of timber are sufficiently durable for our country, and of moderate expense. Rail roads entirely of timber, are fit only for temporary purposes.

A rail road consists of two pair of parallel ways, one pair for going, the other for returning carriages; single roads with occasional passing places, are applicable to some situations, and are of course less expensive. I will concisely describe the road best adapted to the objects that in our country can be attained by it:—*The rails* are of cast iron, and consist of a tread and a flanch, forming in their section the letter ⌐. the tread is 3 inches wide, the flanch 2 inches high. The rails need not be more than $\frac{5}{8}$ of an inch *average* thickness, and they may be cast in lengths of 5 to 6 feet each

each rail will at six feet length, contain 225 cubic inches, which, at 4 inches to the pound, is 56 lb. each rail, or 1 cwt. for every 6 feet in length of the road, or 44 ton per mile.

In order to form a road of these rails, they must be laid at the distance of from 3½ to 5 feet (according to the carriage that is to run upon them) parallel to each other; the ends of every two pair of rails being let and pinned down into a piece of timber lying across the roads, the holes for the pins must *be cast* in the rails. These pieces of timber may be of any form provided they are level at the top, and they cannot be a great part of the expense of the road in any situation. The most durable timber is certainly the best: but no timber can be very durable in the situation it must occupy on the surface, and partly or wholly covered with earth. The perfection of the road consist in the parallel rails being laid perfectly level with each other across the road, and perfectly jointed. In most parts of the union the rails could, I think, be delivered at from 80 to $ 90 per ton, and in many at $ 60 —but taking $ 80 as the average on the spot, the road will cost—

Rails delivered, 44 ton, at $ 80,	3520
Levelling the road, very uncertain, but I will suppose as an average for levelling and filling in with good gravel or broken stone, $ 2 50 per perch, or per mile,	800
Timber and bedding at 50 per rail,	440
Incidents and superintendence,	240
	5000
For a set of returning ways,	5000
Total per mile,	$ 10,000

The carriages which travel on these roads may be of various dimensions, agreeably to the material to be conveyed, and the necessary angle of the road. They have low cast iron wheels fast upon the axle, which turns round. Thus, the two wheels on the axle making the same number of revolutions in the same space of time, the carriage necessarily goes straight forward, and cannot be thrown off the ways by any small obstruction on one side.

The principle upon which such astonishing loads may be drawn on the ways by a single horse, is the diminution of friction in the greatest possible degree. On a good rail road,

descending under an angle of only one degree, one horse may draw eight tons in four waggons of two tons each without difficulty. The astonishing loads drawn upon rail roads by single horses in England, have induced many of our citizens to hope for their early application to the use of our country. I fear this hope is vain, excepting on a very small scale, and that chiefly in the coal country near Richmond. For it is evident that upon a rail road no other carriage but that which is expressly constructed for the purpose, can be employed,—and that to render a rail road sufficiently saving of the expense of common carriage to justify the cost of its erection, there must be a very great demand for its use. But the sort of produce which is carried to our markets is collected from such scattered points, and comes by such a diversity of routes, that rail roads are out of the question as to the carriage of common articles. Rail roads leading from the coal mines to the margin of James river, might answer their expense, or others from the marble quarries near Philadelphia to the Schuylkill. But these are the only instances within my knowledge, in which they at present might be employed.

There is, however, a use for rail roads as temporary means of overcoming the most difficult parts of artificial navigation, and for this use they are invaluable, and in many instances offer the means of accomplishing distant lines of communication which might otherwise remain impracticable, even to our national sesources for centuries to come.

MR. FULTON'S COMMUNICATION.

(F)

Sir, By your letter of the 29th of July, I am happy to find that the attention of Congress is directing itself towards the opening of communications through the United States, by means of roads and canals; and it would give me particular pleasure to aid you with useful information on such works, as I have long been contemplating their importance in many points of view.

But a year has not yet elapsed since I returned to America, and my private concerns have occupied so much of my time, that as yet I have acquired but very little local information on the several canals which have been commenced.

Such information, however, is perhaps at present not the most important branch of the subject, particularly as it can be obtained in a few months at a small expense whenever

the public mind shall be impressed with a sense of the vast advantages of a general system of cheap conveyance.

I hope, indeed, that every intelligent American will in a few years be fully convinced of the necessity of such works to promote the national wealth, and his individual interest. Such conviction must arise from that habit of reflection which accompanies the republican principle, and points out their true interest on subjects of political economy. From such reflections arises their love of agriculture and the useful arts, knowing them to augment the riches and happiness of the nation; hence also their dislike to standing armies and military navies, as being the means of increasing the proportion of non-productive individuals, whose labour is not only lost, but who must be supported out of the produce of the industrious inhabitants, and diminish their enjoyments.

Such right thinking does great honour to our nation, and leads forward to the highest possible state of civilization, by directing the powers of man from useless and destructive occupations, to pursuits which multiply the productions of useful labour, and create abundance.

Though such principles actuate our citizens, they are not yet in every instance, aware of their best interests; nor can it be expected that they should perceive at once the advantages of those plans of improvement which are still new in this country. Hence the most useful works have sometimes been opposed; and we are not without examples of men being elected into the state legislatures for the express purpose of preventing roads, canals, and bridges being constructed. But in such errors of judgment our countrymen have not been singular. When a bill was brought into the British parliament 50 years ago, to establish turnpike roads throughout the kingdom, the inhabitants for 40 miles round London petitioned against such roads; their arguments were, that good roads would enable the farmers of the interior country to bring their produce to the London market cheaper than they who lived near the city and paid higher rent; that the market would be overstocked, the prices diminished and they unable to pay their rent, or obtain a living. The good sense of parliament, however, prevailed; the roads were made, the population and commerce of London increased, the demand for produce increased, and he who lived nearest to London still had a superior advantage in the market.

In like manner I hope the good sense of our legislature will prevail over the ignorance and prejudice which may still exist against canals. And here an important question occurs,

which it may be proper to examine with some attention in this early stage of our public improvements,—whether, as a system, we should prefer canals to turnpike roads? Our habits are in favour of roads; and few of us have conceived any better method of opening communications to the various parts of the states. But in China and Holland, canals are more numerous than roads; in those countries the inhabitants are accustomed to see all their productions carried either on natural or artificial canals, and they would be as much at a loss to know how we, as a civilized people, could do without such means of conveyance, as we are surprised at their perseverance and ingenuity in making them.* England, France, and the principal states of Europe commenced their improvements with roads; but as the science of the engineer improved, and civilization advanced, canals were introduced, and England and France are now making every exertion to get the whole of their heavy productions waterborne, for they have become sensible of the vast superiority of canals over roads.

Our system perhaps ought to embrace them both: canals for the long carriage of the whole materials of agriculture, and manufactures, and roads for travelling and the more numerous communications of the country. With these two modes in contemplation, when public money is to be expended with a view to the greatest good, we should now consider which object is entitled to our first attention. Shall we begin with canals, which will carry the farmer's produce cheap to market, and return him merchandise at reduced prices? Or shall we first make roads to accommodate travellers, and let the produce of our farms, mines, and forests, labour under such heavy expenses that they cannot come to market?

To throw some light on this interesting question, I will base my calculations on the Lancaster turnpike road. There the fair experiment has been made to penetrate from Philadelphia to the interior country, and the mode of calculation here given will serve for drawing comparisons on the utility of roads and canals, for all the great leading communications of America.

From Philadelphia to the Susquehannah at Columbia, is 74 miles; that road, if I am rightly informed, cost on an average, 6000 dollars a mile, or 444,000 for the whole. On it, from Columbia to Philadelphia, a barrel of flour say 200

* The Royal canal from Canton to Pekin, is 825 miles long, its breadth 50 feet, its depth 9 feet.

weight, pays one dollar carriage. A broad wheeled waggon carries 30 barrels or 3 tons, and pays for turnpike 3 dollars; thus for each ton carried the turnpike company receives only one dollar.

I will now suppose a canal to have been cut from Philadelphia to Columbia, and with its windings to make 100 miles, at 15,000 dollars* a mile, or for the whole 1,500,000 dollars. On such canal, *one man*, *one boy* and *horse*, would convey 25 tons 20 miles a day,† on which the following would be the expenses:

One man,	1 00
One horse,	1 00
One boy,	50
Tolls for repairing the canal,	1 00
Tolls for passing locks, inclined planes, tunnels, and aqueducts,	1 00
Interest on the wear of the boat,	50
Total,	5 00

This is equal to 20 cents a ton for 20 miles, and no more than one dollar a ton for 100 miles, instead of 10 dollars paid by the road. Consequently for each ton carried from Columbia to Philadelphia on the canal, the company might take a toll of six dollars instead of one, which is now got by the road; and then the flour would arrive at Philadelphia for 7 dollars a ton instead of 10, which it now pays. The merchandise would also arrive at Columbia from Philadelphia, for three dollars a ton less than is now paid; which cheap carriage both ways would not only benefit the farmer and merchant, but would draw more commerce on the canal than now moves on the road, and thereby add to the profits of the company.

But to proceed with my calculations, I will suppose that exactly the same number of tons would move on the canal that are now transported by the road. Again, let it be supposed that at one dollar a ton the turnpike company gains five per cent. per annum on their capital of 444,000 dollars, or 22,200 dollars, consequently 22,200 tons must be carried,

* On averaging the canals of America, 15,000 dollars a mile will be abundantly sufficient to construct them in the best manner, particularly if made on the inclined plane principle, with small boats, each carrying 6 tons.

† One horse will draw on a canal, from 25 to 50 tons, 20 miles in one day. I have stated the least they ever do, and the highest rate of charges, that no deception may enter into these calculations.

which at six dollars a ton to the canal company, would have given 133,200 dollars a year, or 8½ per cent. for their capital of 1,500,000 dollars.

The reason of this vast difference in the expense of carriage by roads or canals, will be obvious to any one who will take the trouble to reflect, that on a road of the best kind four horses, and sometimes five, are necessary to transport only three tons. On a canal one horse will draw 25 tons, and thus perform the work of 40 horses; the saving therefore is in the value of the horses, their feeding, shoeing, geer, waggons, and attendance. These facts should induce companies to consider well their interest, when contemplating an enterprise of this sort, and what would be their profits, not only in interest for their capital, but the benefit which their lands would receive by the cheap carriage of manure and of their productions.

In considering the profit to accrue to a company from a canal instead of roads, there is another important calculation to be made, and for that purpose I will proceed with the Lancaster turnpike, supposing it to extend to Pittsburg, 320 miles. On which the carriage being at the rate now paid from Columbia to Philadelphia, that is 10 dollars a ton for 74 miles, the ton from Pittsburg would amount to 42 dollars, at which price a barrel of flour would cost 4 dollars in carriage, an expense which excludes it from the market. Thus grain, the most important and abundant production of our interior country, and which should give vigour to our manufactures, is shut up in the districts most favourable to its culture; or to render it portable and convert it into cash, it must be distilled to brutalize and poison society. In like manner all heavy articles of little monied value, can only move within the narrow limits of 100 miles; but were a canal made the whole distance, and by one or more companies, they might arrange the tolls in the following manner, so as to favour the long carriage of heavy articles.

The expense of man, boy and horse, as before stated, would cost only 3 dollars to boat one ton of flour 300 miles, this is 30 cents a barrel; suppose then that the company receive 70 cents a barrel or 7 dollars a ton, flour could then come from Pittsburg to Philadelphia for one dollar a barrel, the sum which is now paid from Columbia; thus the canal company would gain $ 7 a ton by a trade which could never move through a road of equal length. Here we see that on canals the tolls may be so arranged as to draw to them articles of little monied value, and it would be the interest of the com-

pany or companies to make such regulations. But on turnpike roads no such accommodation of charges in proportion to distance, can be effected, because of the number of horses which cannot be dispensed with.* Even were the roads made at the public expense and toll free, still the carriage of one ton for 300 miles would cost at least 35 dollars. But were canals made at the public expense, and no other toll demanded than should be sufficient to keep them in repair, a ton in boating and tolls would only cost 3 dollars for 300 miles; and for 35 dollars, the sum which must be paid to carry one ton 300 miles on the best of roads, it could be boated *three thousand five hundred miles*, and draw resources from the centre of this vast continent.

But striking as this comparison is, I will still extend it. The merchandise which can bear the expense of carriage on our present roads to Pittsburg, Kentucky, Tennessee, or any other distance of 300 miles, and which for that distance pays 100 dollars a ton, could be boated on canals *ten thousand miles for that sum*.

As these calculations are founded on facts which will not be denied by any one acquainted with the advantages of canals, it is the interest of every man of landed property, and particularly of the farmers of the back countries that canals should be immediately constructed and rendered as numerous as the funds of the nation will permit, and the present population requires; and as inhabitants multiply most towards the interior and must extend westward, still moving more distant from the sea coast and the market for their produce, it is good policy and right that canals should follow them. In 25 years our population will amount to 14 millions; two-thirds of whom will spread over the western countries. Suppose then that 3,500,000 dollars were annually appropriated to canals, such a sum would pay for 300 miles of canal each year, and in 20 years we should have 6000 miles circulating through and penetrating into the interior of the different states; such sums though seemingly large, and such works, though apparently stupendous, are not more than sufficient to keep pace with the rapid increase of our population, to open a market and carry to every district such foreign articles as we near the coast enjoy. With this view of the

* In my work on small canals, published in 1796, page 140, there is a table showing a mode of regulating the boating and tonnage in such manner that a ton may be transported 1300 miles for 5 dollars. Yet by this method canal companies would gain more toll than by any other means yet practised.

subject, arises a political question of the utmost magnitude to these states—which is—

That as our national debt diminishes, and the treasury increases in surplus revenue, will it not be the best interest of the people to continue the present duties on imports, and expend the products in national improvements?

To illustrate this question I will state some examples of the rate of duties and the expense of carriage, to prove that by keeping on the duties and making canals with the revenue, goods in a great number of instances will be cheaper to the consumer, than by taking off the duties, and leaving the transport to roads.

FIRST EXAMPLE:

Brown sugar pays in duty, two and a half cents a lb. or for 100 lb.	$ 2 50
It pays for waggoning 300 miles,	5 00
Total,	$ 7 50

By the canal it would cost in boating 15 cents for 300 miles; consequently the boating and duty would amount to $ 2 65; therefore, by keeping on the duty and making canals, sugar would arrive at the interior, 300 miles, for $ 2 35 the hundred weight cheaper than if the duties were taken off and the transport left to roads.

SECOND EXAMPLE:

One bushel of salt, weighing 56lb. paid in duty,	$ 0 20
To carry it 300 miles by roads, the expense is	2 50
Total,	$ 2 70

By the canal it would cost for boating 300 miles, seven and a half cents. By keeping on the duties and making the canals, it would arrive to the interior consumer at $ 2 32½ the bushel cheaper than were the duties taken off, and the transport left to roads.

THIRD EXAMPLE:

Molasses pays 5 cents a gallon duty, this is for 100 lb.	$ 0 75
It pays for waggoning 300 miles,	5 00
Total,	$ 5 75

By the canal the carriage would cost 15 cents, and it would arrive at the interior, at $ 4 10 the hundred weight, or 27 cents a gallon cheaper than were the duties taken off, and the transport left to roads.

Numerous other articles might be stated to show that the real mode of rendering them cheap to the interior consumer, is to keep on the duties and facilitate the carriage with the funds so raised. These, however, may be considered as partial benefits, and not sufficiently general to warrant keeping on the duties. But there is a point of view in which I hope it will appear that the advantages are general, and will be felt throughout every part of the states. It is by reducing the expense of all kinds of carriage, and thus economise to each individual more than he now pays in duty on the foreign articles which he consumes.

FOR EXAMPLE:

Wood, for fuel, is an article of the first necessity; it cannot bear the expense of transport 20 miles on roads; at that distance it is shut out from the market, and the price of fuel is consequently raised the amount of the carriage; were a cord of wood carried 20 miles on roads, it would pay for waggoning at least 3 dollars; on a canal it would pay 20 cents; thus, on only one cord of wood, there is an economy of $ 2 80,—which economy would pay the duty on 14 pounds of tea, at 20 cents the lb. duty;

Or 140 pounds of sugar, at 2 cents the lb. duty;

Or 56 pounds of coffee, at 5 cents the lb. duty;

Or 14 bushels of salt, at 20 cents the bushel duty;

Or 56 gallons of molasses, at 5 cents the gallon duty.

I will now suppose a city of 50,000 inhabitants, who for their household and other uses will consume 50,000 cord a year, on which there would be an economy of 140,000 dollars, a sum in all probability equal to the duties paid by the inhabitants. For the duties divided on the whole of the American people, are but $ 2 28 to each individual. Here I have estimated each person to pay $ 2 80, yet this estimate is made on one cord of wood to each inhabitant of a city; were I to calculate the economy on the carriage of building timber, lime, sand, bricks, stone, iron, flour, corn, provisions, and materials of all kinds, which enter or go out of a city, it would be five times this sum; and thus the towns and cities are to be benefited. The farmer or miller who lives 20 miles from a market, pays at least 22 cents to waggon a barrel of flour that distance; by the canal it would cost 2 cents; the economy

would be 20 cents; at 100 miles the economy would be 100 cents, and at 150 miles it would be 150 cents; beyond this distance flour cannot come to market by roads; yet at this distance the economy of 150 cents on the carriage of one barrel of flour would pay the duty on

7½ pounds of tea;
Or 75 pounds of sugar;
Or 30 pounds of coffee;
Or 7½ bushels of salt;
Or 30 gallons of molasses.

Thus it is, that the benefits arising from a good system of canals, are general and mutual. Therefore should peace and the reduction of the national debt give an overflowing treasury, I hope you, and the majority of Americans, will think with me, that the duties should not be taken off nor diminished; for such an act, instead of relieving the people, would really oppress them, by destroying the means of reducing the expense of transport, and of opening to them a cheap mode of arriving at good markets.

To proceed with these demonstrations, let us look at the rich productions of our interior country:

Wheat, flour, oats, barley, beans, grain, and pulse of all kinds;
Cyder, apples, and fruits of all kinds;
Salt, salted beef, pork, and other meats;*
Hides, tallow, beeswax;
Cast and forged iron;
Pot and pearl ashes, tanners' bark;
Tar, pitch, rosin, and turpentine;
Hemp, flax, and wool;
Plaister of Paris, so necessary to our agriculture;
Coals, and potters' earth for our manufactures;
Marble, lime, and timber for our buildings.

All these articles are of the first necessity, but few of them can bear the expense of 5 dollars the hundred weight to be transported 300 miles on roads. Yet on canals they would cost in boating only 15 cents the 100 weight for that distance.

There is another great advantage to individuals and the nation arising from canals, which roads can never give. It is that when a canal runs through a long line of mountainous country, such as the greater part of the interior of Ame-

* Animals are now driven to market 300 or more miles, at a considerable expense and loss of flesh, for two principal reasons: first the expense of transporting the salt to the interior; and second, the expense of carrying the salted meats to market.

rica, all the ground below for half a mile or more may be watered and converted into meadow and other profitable culture.

How much these inconveniences of irrigation will add to the produce of agriculture and the beauties of nature, I leave to experienced farmers and agricultural societies to calculate.

In Italy and Spain it is the practice to sell water out of the canals, for watering meadows and other lands. In such cases, tubes are put into the canal, under the pressure of a certain head of water, and suffered to run a given time for a fixed price; the monies thus gained add much to the emoluments of the canal companies.

But with all these immense advantages which canals give, it may be a question with many individuals, whether they can be constructed in great leading lines from our sea coast and navigable rivers, to the frontiers of the several states, or pass our mountains and penetrate to the remote parts of our interior country. Should doubts arise on this part of the plan, I beg leave to assure you that there is no difficulty in carrying canals over our highest mountains, and even where nature has denied us water. For water is always to be found in the valleys, and the canal can be constructed to the foot of the mountain, carrying the water to that situation. Should there be no water on the mountain or its sides, there will be wood or coals; either or both of which can be brought cheap to the works by means of the canal. Then with steam engines the upper ponds of canal can be filled from the lower levels, and with the engines the boats can on inclined planes be drawn from the lower to the upper canal. For this mode of operating it is necessary to have small boats of six tons each As the steam engines are to draw up and let down the boats on inclined planes, no water is drawn from the upper level of canal as when locks are used. Consequently when the upper ponds have been once filled, it is only necessary that the engine should supply leakage and evaporation. There is another mode of supplying the leakage and evaporation of the higher levels: On the tops and sides of mountains there are hollows or ravines which can be banked at the lower extremity, thus forming a reservoir to catch the rain or melted snow. From such reservoirs the ponds of canal can be replenished in the dry months of summer. This mode of reserving water is in practice in England for canals, and in Spain for irrigation. In this manner I will suppose it necessary to pass a mountain 800 feet high; then four inclined planes each of 200 feet rise, would gain the summit, and four would descend on the

other side.—Total 8 inclined planes and 8 steam engines. Each steam engine of 12 horse power would cost about ten thousand dollars, in all 80,000 dollars; each would burn about 12 bushels of coal in 12 hours, or 96 bushels for the 8 engines for one day's work.

The coals in such situations may be estimated at 12 cents a bushel, or	$ 11 52
At each engine and inclined plane there must be 5 men—total 40 men, at one dollar each,	40 00
Total,	$ 51 52

For this sum they could pass 500 tons in one day over the 8 inclined planes, which for each ton is only 10 cents.

Suppose the mountain to be 20 miles wide, boating for each ton would cost 20 cents.

Total, 30 cents a ton for passing over the mountain, which will be more or less according to circumstances. These calculations being only intended to remove any doubts which may arise on the practicability of passing our mountains—

Having thus in some degree considered the advantages which canals will produce in point of wealth to individvals and the nation, I will now consider their importance to the union and their political consequences.

First, their effect on raising the value of the public lands, and thereby augmenting the revenue.

In all cases where canals shall pass through the lands of the United States, and open a cheap communication to a good market, such lands will rise in value for 20 miles on each side of the canal. The farmer who will reside 20 miles from the canal can in one day carry a load of produce to its borders. And were the lands 600 miles from one of our seaport towns his barrel of flour, in weight 200 lb. could be carried that distance for 60 cents, the price which is now paid to carry a barrel 50 miles on the Lancaster turnpike. Consequently, as relates to cheapness of carriage, and easy access to market, the new lands which lie 600 miles from the sea ports, would be of equal value with lands of equal fertility which are 50 miles from the sea ports. But not to insist on their being of so great value until population is as great it is evident that they must rise in value in a 3 or 4 fold degree, every lineal mile of canal would accommodate 25,600 acres. The lands sold by the United States in 1806, averaged about 2 dollars an acre, and certainly every acre ac-

commodated with a canal, would produce 6 dollars; thus only 20 miles of canal each year, running through national lands, would raise the value of 512,000 acres at least 4 dollars an acre, giving 2,048,000 dollars to the treasury, a sum sufficient to make 136 miles of canal. Had an individual such a property, and funds to construct canals to its centre, he certainly would do it for his own interest. The nation has the property, and the nation possesses ample funds for such undertakings.

Second, on their effect in cementing the union, and extending the principles of confederated republican government. Numerous have been the speculations on the duration of our union, and intrigues have been practised to sever the western from the eastern states. The opinion endeavoured to be inculcated, was, that the inhabitants beyond the mountains were cut off from the market of the Atlantic states; that consequently they had a separate interest, and should use their resources to open a communication to a market of their own; that remote from the seat of government they could not enjoy their portion of advantages arising from the union, and that sooner or later they must separate and govern for themselves.

Others by drawing their examples from European governments, and the monarchies which have grown out of the feudal habits of nations of warriors, whose minds were bent to the absolute power of the few, and the servile obedience of the many, have conceived these states of too great an extent to continue united under a republican form of government, and that the time is not distant when they will divide into little kingdoms, retrogading from common sense to ignorance, adopting all the follies and barbarities which are every day practised in the kingdoms and petty states of Europe. But those who have reasoned in this way, have not reflected that men are the creatures of habit, and that their habits as well as their interests may be so combined, as to make it impossible to separate them without falling back into a state of barbarism. Although in ancient times some specks of civilization have been effaced by hordes of uncultivated men, yet it is remarkable that since the invention of printing and general diffusion of knowledge, no nation has retrogaded in science or improvements; nor is it reasonable to suppose that the Americans, who have as much, if not more information in general, than any other people, will ever abandon an advantage which they have once gained. England, which at one time was seven petty kingdoms, has by habit long been united into

one. Scotland by succession became united to England, and is now bound to her by habit, by turnpike roads, canals, and reciprocal interests. In like manner all the counties of England, or departments of France, are bound to each other; and when the United States shall be bound together by canals, by cheap and easy access to market in all directions, by a sense of mutual interests arising from mutual intercourse and mingled commerce; it will be no more possible to split them into independent and separate governments, each lining its frontiers with fortifications and troops, to shackle their own exports and imports to and from the neighbouring states; than it is now possible for the government of England to divide and form again into seven kingdoms.

But it is necessary to bind the states together by the people's interests, one of which is to enable every man to sell the produce of his labour at the best market and purchase at the cheapest. This accords with the idea of Hume, "that "the government of a wise people would be little more than "a system of civil police; for the best interest of man is in- "dustry and a free exchange of the produce of his labour "for the things which he may require."

On this humane principle, what stronger bonds of union can be invented than those which enable each individual to transport the produce of his industry 1200 miles for 60 cents the hundred weight? Here then is a certain method of securing the union of the states, and of rendering it as lasting as the continent we inhabit.

It is now eleven years that I have had this plan in contemplation for the good of our country. At the conclusion of my work on small canals, there is a letter to Thos. Mifflin, then governor of the state of Pennsylvania, on a system of canals for America. In it I contemplated the time when "*canals should pass through every vale, wind round each hill* "*and bind the whole country together in the bonds of social* "*intercourse;*" and I am now happy to find that through the good management of a wise administration, a period has arrived when an overflowing treasury exhibits abundant resources, and points the mind to works of such immense importance.

Hoping speedily to see them become favourite objects with the whole American people,

I have the honour to be, your most obedient,

ROBERT FULTON.

To Albert Gallatin, Esq., Secretary of the Treasury.

Washington, December 8, 1807.

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